Riots—1923.

Alabama.

ONE NEGRO SLAIN IN BUDDING RIOT

Georgiana, Ala., December 26.—One negro is dead and another dying after a pistol battle at Industry, a few miles from here, in which more than 100 shots were fired by deputized whites and negroes. The community is aroused and more trouble is feared from young men of the settlement.

The trouble started Christmas night when Allen Joyner, white, is alleged to have shot and killed Dempsey Powell, a negro, precipitating the trouble. Friends of the principals [illegible] took up the quarrel. One negro was seriously wounded and another injured slightly, according to the news brought to Mobile today. Residents of this place fear further trouble.

Riots—1923.

TULSA RIOT VICTIMS FILE SUITS AGAINST CITY FOR $3,035,235.87.

Tulsa, June 20.—Negroes of Tulsa, who were completely wiped out by fire following the big race conflict two years ago, have unanimously rebuilt their section more beautiful than before. Modern brick buildings, fine business establishments, elegent homes, and good churches adorn the section now that was a mass of ruins June 1, 1921.

At the close of business June 1, 1923, these courageous race people filed damage suits against the city, county, city officials, their bondsmen, and the Sinclair Oil Company, to the amount of $3,035,235.87. And that only represented the losses of the largest property owners. Thousands of the smaller losers became discouraged and did not file suit. In most cases prominent race attorneys are pushing the cases—many of whom have national reputations. Hon. G. W. Hutchings, local race attorney, was the first to file a suit. He was followed by Attorneys B. C. Franklin, E. I. Saddler, H. A. Guess, I. S. Spears, all local race lawyers, and Hon. Elisha Scott, of Topeka, Kans.; Hon. G. W. Carry, of Guthrie, Okla.; Hon. R. Emmett Stewart, and Hon. Benard Smith, of Muskogee, Okla. One white law firm filed four of the largest cases in the Federal court.

24TH PRISONERS GRATEFUL FOR VISIT AT JAIL

Martyrs in Jail Six Years Are Hopeful

NEW YORK CITY, Sept. 22.—Numerous letters have been received at the national office of the National Association for the Advancement of Colored People, according to announcement made here today from former members of the Twenty-fourth Infantry who have been confined in the Leavenworth Prison for their alleged participation in the Houston, Tex. riots in 1917, expressing appreciation for the visit paid them by 558 delegates and members on September 1st. One of them writes the N. A. A. C. P.:

"Only a line to tell you that the boys are pleased beyond expression to know that the Association is so deeply interested in them. The visit to the Federal Prison by a delegation of five hundred and fifty-eight people divulges the fact that we are not forgotten, and have never been forgotten by you good people. To know that we are not placed in the same catagory with the average type of prisoners who condone crime, is indeed gratifying and we will always fight to be men, morally." 9-22-23

Another colored prisoner at Leavenworth, who is not a member of what is called in the prison "the Houston Rioters" but who is imprisoned for another crime, writes of the effect of the visit:

"I would hardly think of writing without telling you how much your visit accomplished. The benefits have been threefold: First, the morale of the men of the 24th Infantry has been stimulated; second, the colored inmates of the institution were given what was probably their first view of the work of the N. A. A. C. P., increasing their understanding of the principles the Association fosters and supports; third, the white inmates have been awakened to the fact that there is a group of Negroes under intelligent leadership fighting for what they believe right.

"The general sentiment throughout the prison is in favor of the men of the 24th Infantry and one hears nothing but favorable comment on the interest which the Association has evinced in these cases. I am justly proud of my membership in the Association. To me, it is a tangible asset, minus the empty, visionary titles of an impossible dream. . . ."

One of the prisoners said that the visit of the N. A. A. C. P. delegates had given him and his fellow prisoners enough encouragement and cheer to enable them to stand with fortitude another year of imprisonment; that they had begun to feel that they had been forgotten by the colored people of America but the visit had dispelled that idea.

In speaking today of the visit to the Leavenworth Prison, Walter White, assistant secretary of the N. A. A. C. P. said:

"I have never had so touching an experience as the one of meeting and talking with these 54 men who for six years have been imprisoned because they dared protect themselves against a vicious Texas mob. Without exception every one of them is a clean-cut, straightforward character, their heads unbowed even by six long years of imprisonment. Their gratitude at the visit paid them was almost pathetic. Their martyrdom is one of the greatest travesties on justice that ever occurred, even in America where such travesties are almost daily practiced on colored people. We must never stop our efforts until these men are again free.

"A remarkable situation exists in the prison in that the white prisoners are so eager that the men of the 24th be released. As we left the prison Mr. Seligmann and I were called into the warden's office by one of the white prisoners who said to us: 'There isn't a white man in the prison who isn't praying that your efforts to get these men out may be successful.'"

The national office of the N. A. A. C. P. has announced that plans are being perfected as rapidly as possible for a nation-wide campaign for the freeing of these men.

Tulsa

EXTENDS MARTIAL LAW IN OKLAHOMA

The Atlanta Constitution

Territory Adjacent to Tulsa Included in Order; Governor Walton Gets Threatening Letter.

Tulsa, Okla., August 17.—(By the Associated Press.) — Martial law which has been in effect in the city of Tulsa since last Tuesday, was extended early tonight on the southern portion of Tulsa county, including the towns of Red Fork and Broken Arrow, scene of recent floggings.

The order enlarging the area of military occupation, signed by Adjutant General B. H. Markham, followed closely the arrest of ten men today at Jenks. No additional troops will be called, Adjutant General Markham said.

8-18-23

Atlanta, Ga.

Oklahoma City, Okla., August 17.—An anonymous letter threatening Governor Walton unless troops immediately are withdrawn from Tulsa was received at the executive offices today, according to an announcement from Aldrich Blake, the goernor's counselor.

"Unless troops are withdrawn at once your fate will be the same as the others," Blake said the letter read.

Blake said much of the contents of the letter was unprintable. He declined to divulge the name of the place at which it was posted, explaining that it might handicap the state investigators in their search for the writer.

The governor left here today on a motor trip.

OKLA. EXTENDS MILITARY RULE

Riots

Ten More Arrested for Floggings, Mob Violence Must

End, Governor Says

Sunday American

(By International News Service.)

TULSA, Okla., August 18.—Martial law, extended late Friday to include all of this county south of Tulsa, Saturday was held in more serious regard, following the arrest of 10 additional men by national guardsmen in connection with floggings by masked bands.

Atlanta, Ga.

Attorney General Short, who has been here investigating alleged mob violence, was to return to Oklahoma City Saturday, presumably to report to Governor J. C. Walton the results of his probe. No additional troops will be ordered here, it is understood. 8-19-23

Governor Walton was Saturday quoted as saying he was not after the Ku-Klux Klan or any particular organization, but the men who have been doing the whipping.

E. H. King, one of the first two men arrested, has been released on $1,500 bond. He is charged with participating in a flogging on April 26. Former Deputy Sheriff Atkins, arrested with King, is also at liberty under bond. He is alleged to have been a member of a band which lashed Walter Truman on April 15.

Martial law was declared here following the flogging of Nate Hantaman, and is the latest move in Governor Walton's campaign to drive mob violence out of Oklahoma, "if it takes three years."

Riots — 1923.

Texas.

RACE TROUBLE BRINGS TROOPS CALL IN TEXAS

Austin, Texas, April 23.—Troop F 112th cavalry, Texas national guard has been called out by the sheriff o Smith county because of race trouble according to a telegram received this morning from Captain Clarence E Parker, commander of the troop at Tyler, by the adjutant general's office. No details were given.

Adjutant General T. D. Barton has telegraphed for further information

Riots—1923

HOUSTON and the 24th INF.

2-16-23

(Editor's Note). THE PITTSBURGH AMERICAN begins today the publication of an account of what has been called "The Houston Riot." This story is by a member of the 24th Infantry who was present and in this so-called riot. For obvious reasons this man's name cannot be used. This account has been prepared especially for the PITTSBURGH AMERICAN and will appear in this paper exclusively. It is a long story and will run for some weeks. This extremely important document is published in order that the public may hear the other side of this case which has been called by many, a gross mis-carriage of justice. The PITTSBURGH AMERICAN was selected as the medium through which to make this document public in view of its consistent stand for absolute freedom and equality for the Negro, its unchanging liberal policy and its unceasing fight to have the basic principles of democracy function for all men regardless of race, creed, color or political, economic or social affiliations.

(A) On August 23, 1917, there occurred in Houston, Texas, what has since been called the Houston riot. Nineteen Negro soldiers of the 24th U. S. Infantry have been hung, some 60 sent to prison for life and 5 sentenced to 15 years. This does not include some that were given short sentences.

Why was the Houston riot? Did these Negro soldiers mutiny and fire on their officers as stated at the time? Did they mutiny at all? Not an officer who was in camp was shot or even hurt. We again ask, why the riot?

We have been confined almost 5 years with a reduction of sentence, therefore, this writer thinks that the public should see this case in the true light. He intends to cast no reflections on the Court of the War Department as it is possible for them to have been misled and swayed by public opinion. My aim, therefore, is to give the public as near as possible the right view of this affair.

Sometime during the day of August 23, 1917, a report reached the camp of the 3rd Battalion of the 24th Infantry, that one of the Military Police, Corporal Baltimore, had been shot. The feeling of these Negro soldiers at this report was the same as the feeling of any soldiers, white or black, would have been under the same circumstances. Every officer and soldier of the regular Army knows this to be a fact, but this, by no means, brought on the riot on the part of these soldiers, as I will show later. These Negro Military Police were doing duty unarmed in time of war. I think they were the only Military Police in the United States who were doing duty unarmed. Why was this, I ask a fair minded public? The men were ordered to turn in their ammunition that they had carried since going into Mexico in 1916. Men going on guard were given 5 rounds of ammunition and were given these orders: "Don't load your piece while on post, night or day, but, if some one approaches your post challenge 3 times. If they don't stop load your gun and fire." Why were the soldiers, protecting Government property, not allowed to walk with a loaded rifle in war time? What would have been the feeling of any body of soldiers upon hearing that one of their comrades, unarmed, had been beaten up and shot by armed men? Baltimore was beaten and shot at as he ran, pulled from beneath a bed, again beaten with pistol butts and arrested. What did Baltimore do to offend these white police of Houston? He asked for a report as to why they had arrested another Negro soldier. They replied, "We don't have to report to a nigger." It was Baltimore's duty to get this report as it had to be turned in at the camp. Why, then, was Baltimore beaten and arrested? When this report reached the camp, Major Snow sent an officer to the police station to get the facts. This officer, Captain Shekeyian, testified that Baltimore's shirt was very bloody and there was a slight cut in his head. He told him to (c) wash up, and then brought him to camp. (d) The policeman was suspended and the Chief of Police told the captain he would be punished. This captain (Shekeyian), testifying at the first trial in answer to a question by a member of the Court, stated: "This conversation ended in Baltimore being hit across the head with a pistol by Policeman Sparks." Baltimore then ran, as has been stated, and Sparks fired three shots at him. Baltimore ran because he was confronted by two armed policemen. He had not committed any crime; only did his duty in asking for a report.

Houston.

HOUSTON NEGRO RIOTER ESCAPES

Associated Press Report.

KANSAS CITY, Mo., May 24.—Police here today were searching for Stewart W. Phillips, negro, 30, a Houston, Texas, army rioter, who escaped from the federal penitentiary at Leavenworth, Kan., last night. Phillips was a trusty at the home of Warden W. I. Biddle. The convict is believed to have taken an interurban car to Kansas City.

Phillips was one of 60-odd former soldiers of the 24th infantry serving sentences at the federal prison for alleged participation in the riot at Houston August 23, 1917, in which nearly a score of civilians were killed. Sixteen of the negro soldiers were sentenced to death by court martial, of whom ten had their sentences commuted to life imprisonment by President Harding.

Negro Slayers Of Houstonians Are "Fine Men"

Houston Post, Houston, Tex. 9-2-23

Associated Press Report.

LEAVENWORTH, Kans., Sept. 1. Seated in a group amid approximately 550 delegates of the fourteenth annual convention of the Association for the Advancement of Colored people, 54 negro prisoners listened at the federal prison to praise and expressions of sympathy there today by Warden W. I. Biddle and members of the delegation. The prisoners were sent to the penitentiary in connection with riots at Houston, Texas, in 1914.

"These men are not murderers and they are not criminals," asserted the warden, facing them from the speaker's platform. "I know that they are a fine body of men and are worthy of every effort to obtain their release."

Captain Arthur B. Spingran, New York City, counsel for the association, told the assembly that he had read the papers in the riot case and that he was convinced that sentences were unnecessarily severe.

James Weldon Johnson, negro, secretary of the association, lauded the Twenty-fourth infantry, in which the prisoners had enlisted, and declared that no negro had ever been a traitor to the United States. The prisoners, he said, were unjustly held in view of the circumstances leading to the riots.

Houston "Rioters" May Go Free

Kansas City Sun
Kansas City, Mo.

Leavenworth, Kas., Sept. 1.—The entire resources and efforts of the Colored people of America as represented in the National Association for the Advancement of Colored People will be brought to the fore in the fight for the freedom of the Houston "rioters" now imprisoned in the federal penitentiary at Leavenworth. That was the pledge given by the officials of the N. A. A. C. P. and the A. M. E. Church who spoke to the men in the auditorium of the prison Saturday morning.

All the prisoners now at Leavenworth were present and occupied the front seats in the auditorium when the delegation of N. A. A. C. P. members and officers visited the prison to talk in person to the men.

Warden Lauds Men.

Warden Biddle, who spoke first, extolled the record of the men and referred to them as disciplined, orderly, intelligent soldiers who were not criminals at heart. He cited several instances to prove his assertion. "On one occasion I remember a number of I. W. W. prisoners," said the warden relating an experience in the prison, "started a riot in the dining room with an apparent view to overthrowing the guards; they might have made much headway if they had been assisted by these men who were present at that time. They kept their seats. They took no part in this uprising; they behaved like men." The warden related another incident when irate prisoners set fire to one of the buildings. The fire threatened to spread to other buildings and possibly would have done much damage, he said, resulting in the freeing of many prisoners. "The Houston 'rioters' were among the first to check and extinguish this fire before it had done much harm." Warden Biddle said he knew no more splendid men than these prisoners. "They are worth any efforts expended in their behalf."

James Weldon Johnson, speaking as a representative of the N. A. A. C. P., pledged the continued support of the organization to the men and called on them always to obey their warden and those in authority and that that would make easier the task of gaining liberty for them. This organization was instrumental in having the sentences of the men slashed. "We have been active in your behalf from the third day of the Houston trouble," said Mr. Johnson, "And we intend to keep up the fight. I intend to go personally to see the President to plead your cause," he said in closing.

Others Pledge Loyalty.

Bishops W. T. Vernon and John Hurst of the A. M. E. Church made short addresses, in which they echoed the pledge given by Mr. Johnson. Mrs. Addie W. Hunton and Arthur B. Spingarn of the Association also made short addresses. Prof. King of the Kansas Branch and principal of the Kansas Junior College, made a stirring short address in which he declaimed the dangers of elaborate feasts and amusements on a mission fraught with so much importance to human beings unjustly imprisoned. The Kansas Branch, N. A. A. C. P., according to Prof. King, received numerous letters from persons who wanted the visiting delegation to Leavenworth to be entertained with elaborate barbecue feasts and amusements.

9-8-23

"This is not a pleasure trip; it is a journey to instill in the hearts of you men renewed courage, greater hope and assurance that we have not forgotten you," said Prof. King in closing.

The Men Now in Prison.

Warden Biddle explained that the sentences of all these prisoners who were sentenced to life terms had been commuted to fifteen or twenty years, and that similar reductions had been made in the cases of the other "rioters" who had been given twenty years or less severe sentences. Four of the men have died since their imprisonment, one has escaped, one has been released, two have been transferred to hospitals for the insane, five have been paroled.

Life Terms.

Ernest E. Adams, John Adams, Wash Adams, Reuben W. Baxter, Douglass T. Bolden, Fred Brown, Robert Brownfield, Walter Burkett, A. C. Butler, H. Capers, Ben Cecil, James Coker, Abner Davis, Gerald Dixon, Wm. Frazier, Callie Glenn, J. R.

Hawkins, G. Hobbs, Normand Holland, W. J. Hough, J. F. Hudson, jr., N. Humphries, jr., T. Jackson, J. R. Johnson, W. T. Johnson, D. Lumkins, B. McDaniel, D. New, G. H. Parham, S. W. Phillips, L. Pinkett, H. Richardson, L. Rucker, J. Sullivan, Roy Tyler, Joseph Wardlow, J. Williams jr., Henry Green Richard Lewis, Charles Banks, Hy. L. Chenault, John Geter, John H. Gould, James H. Mitchell, Edward Porter, jr., Robert Smith, Robert Tillman, H. C. Turner, Quiller Walker, Grand Anderson, Fred Avery, William Burnette, Isaac A. Dyo, William L. Dugan, James Gaffney, Chas. J. Hatton, Albert T. Hunter, John Ranier, William Mance, Sherman V Vetelcer, James E. Woodruff.

Fifteen Years.

Tom Bass, Doyle Lindsay, W. Lindsay, Eddie McWell, Samuel O. Riddle

FROM FT. LEAVENWORTH

Some of Victims of Fort Sam Houston Court-Martial Writes to Equal Rights League

Leavenworth, Kansas, Nov. 27, 1923
Hon. Wm. Monroe Trotter
103 Court Street
Boston, Mass.
Most Honorable Sir:—

Some time has elapsed since I last wrote you, and while reading the late issue of the Cleveland Gazette, dated Nov. 24th, I observe the resolution that was announced by your progressive body, The National Equal Rights League. Now sir, as a victim of the Fort Sam Houston Court Martial, I deem it is my duty and also with a great deal of pleasure by writing you a few lines just to inform you that I am one of those fellows that enjoy extending my appreciation to those that we are laboring for a cause in which I am implicated. Now, sir, it's impossible for me to find words to express my deep appreciation and heartfelt thanks for the great efforts and pains that you all are undertaking cheerfully for our liberation. Now again sir, if the Equal Rights League accomplished their aim of which at present no one knows the result, you can rest assured that I will be an active and free giver and perform my very best toward upholding the principles of your great body. The National Equal Rights League again thanking you for your great efforts in our behalf and with best wishes for your success, I am sir, very thankfully yours,

James Cokes. Box 7.

DEC 23 1923

Coolidge Denies Pardons To Negroes in 1917 Riot

Pardons will not be granted the 54 negroes convicted of taking part in the 1917 riot at Houston, according to advices received from Washington Saturday.

President Coolidge, after a conference with James W. Johnson, secretary of the Association for the Advancement of Colored peoples, promised to hear a plea early next year from a delegation interested in freeing the rioters.

The American Legion and other patriotic organizations of Houston recently forwarded to the president a strong protest against pardoning any of the negroes.

50 OF N. A. A. C. P. CONFERENCE VISIT IMPRISONED 24TH INFANTRY MEN AT LEAVENWORTH FEDERAL PRISON.

Leavenworth, Kansas, September 1.—The largest delegation ever received at the Federal Penitentiary here, came today to visit the 54 members of the 24th Infantry still imprisoned here for their share in the Houston Race Riot of 1917. W. I. Biddle warden of the penitentiary received the 550 visiting friends and delegates of the Naitonal Association for the Advancement of Colored People, who were seated, together with the 24th infantrymen in the penitentiary auditorium. Addresses were made by Warden Biddle who highly praised the imprisoned soldiers and said they were worthy of every effort to obtain their freedom. "These men are not murderers," he said. "They are not criminals. I know them." Others who spoke were James Weldon Johnson, secretary of the N. A. A. C. P., Captain Arthur B. Spingarn, of New York, counsel for the N. A. A. C. P., Mrs. A. W. Hunton and Bishops John Hurst of Baltimore and W. T. Vernon of South Africa, both of the A. M. E. Church. All promised the imprisoned 24th infantrymen that the colored people of the United States would work unceasingly for their release from prison.

PHILADELPHIA PA N AMER
NOVEMBER 25, 1923

Leavenworth Prisoners

TO THE EDITOR—On Sunday, November 11, services in colored churches thruout the country were devoted to fifty-four colored soldiers, former members of the Twenty-fourth infantry, now imprisoned in Leavenworth Penitentiary, Kansas. These men were sentenced to long terms and to life imprisonment for their share in the riot in Houston, Tex., of 1917. As a result of that riot, nineteen colored soldiers were hanged, thirteen of them without the privilege usually accorded of having their sentences reviewed by their commander-in-chief, and sixty-seven were sentenced to long terms, of whom fifty-four are still in prison.

The Houston riot is now old history. There is abundant evidence to show that the colored soldiers acted as they did only after severe provocation by the white police of Houston, in the form of insult and physical violence to men wearing the uniform of the United States.

Colored people thruout the United States feel these colored soldiers were harshly dealt with. They have the assurance of Warden Biddle, of the federal penitentiary, not only that these men have been model prisoners, but Warden Biddle also said: "These men are not criminals. They are not murderers. I know them." Warden Biddle, unofficially, expressed the hope that they might be released.

The National Association for the Advancement of Colored People is circulating a petition for which 100,000 signatures are desired, asking President Coolidge to exercise his power of clemency in the case of these men. In case any of your readers might wish further information on these cases, or copies of the petition, both may be obtained by writing to the National Association for the Advancement of Colored People, 69 Fifth avenue, New York.

JAMES W. JOHNSON,
Secretary National Association for the Avancement of Colored People.

New York city, Nov. 15.

94,729 URGE RELEASE OF SOLDIERS

N. A. A. C. P. Announces Total Number Will Soon Exceed 100,000 Quota

SECRETARY SEES COOLIDGE

J. W. Johnson Arranges for Formal Plea of Freedom for 24th Infantrymen

12-28-23

New York, Dec. 27.—With 24,723 signatures affixed to the N. A. A. C. P. petition for the release of the imprisoned members of the 24th Infantry, and the certainty that the total number will exceed the goal of 100,000 originally set, James Weldon Johnson, secretary of the National Association for the Advancement of Colored People, on Thursday, December 20th, went to Washington and interviewed President Coolidge to arrange for formal presentation of the petition.

On his return to New York from Washington, on Friday, December 21st, Mr. Johnson said:

"The President received me cordially and listened with interest to my recital of the facts preceding and following the so-called Houston riot. I told him we were about ready to present the petition asking pardon of the 54 members of the 24th Infantry still imprisoned in Leavenworth Penitentiary for their share in the Houston riot of 1917. Furthermore, I talked, while in Washington, with Senator Arthur Capper, a member of the N. A. A. C. P. National Board, and with Senator Charles Curtis. Both of these Senators have written the President strong letters urging the release of the men.

"The N. A. A. C. P. intends to invite a representative delegation to participate in the presentation of the N. A. A. C. P. petition. So far as practicable all organizations, fraternal orders and other bodies who have interested themselves in this campaign, will be invited to send a representative. As soon as the definite date has been arranged with President Coolidge, the details will be made public. Meanwhile, the colored people of America are to be congratulated on the strength of this united effort they have made."

WHITES OFFER HELP TO FREE 24TH SOLDIERS

23,000 Signatures Sent to the Association in Plea for Imprisoned Soldiers

New York, Dec. 7.—Signatures by the thousands to the petition for the release of the 24th infantrymen imprisoned in Leavenworth penitentiary are pouring into the national office at 69 Fifth Ave., this city, of the National Association for the Advancement of Colored People. On the morning of Nov. 27, the figure stood close to 23,000 with thousands more arriving by every mail.

The Chicago branch has already sent in 4,000 signatures and in response to letters and announcements of the N. A. A. C. P. people from every part of the country are asking for petitions to circulate. Among the groups who have signed 100 per cent strong are the cast of "Runnin' Wild," the musical comedy being given by Miller & Lyles in New York. Two sheets of signatures of this company have been received.

As soon as the number of signatures approaches 100,000, arrangements will be made for the presentation of the petitions to President Coolidge in Washington. It is expected that by the time the presentation occurs, the number will be greatly in excess of the 100,000 mark originally set.

12-8-23

In the course of the campaign for signatures, the N. A. A. C. P. has appealed through the white press for signatures with most gratifying results. Letters to the editors of white dailies, appealing for the Houston martyrs, have been published in many large dailies throughout the country, with the result that white people, as well as our people, are writing in for petitions and are sending in their names. Amang the white newspapers publishing the letters are the New York Evening Post, Minneapolis Journal, Cincinnati Post and the hristian Science Monitor of Boston.

SEEK AMNESTY FOR 54 NEGROES

NEW YORK.—"Houston Martyrs' day" will be observed Sunday, Nov. 11, by colored people throughout the country ,according to the Natl. Assn. for the Advancement of Colored People here, in another effort to effect the liberation of the 54 members of 24th U. S. infantry, who are still imprisoned in Leavenworth penitentiary as a result of the race riot in Houston, Tex., in 1917.

The N. A. A. C. P. announces that a petition with over 100,000 signatures will be sent to President Coolidge that day, asking for a full and complete pardon for the imprisoned soldiers and citing the following grounds for their pardon in addition to the "excellent previous record of the 24th infantry."

"The provocation of local animosity against these men because of their race and coler, which was manfested in insults, threats and acts of violence against these colored soldiers wearing the unioforms of the United States army and waiting to be sent to France to fight.

"The heavy punishment meted out to members of the 24th infantry, of whom 19 were hanged, 13 of them summarily and without right of appeal to the secretary of war or to the president, their commander-in-chief. Fifty-four of them remain in prison, having already served nearly six years."

The exemplary conduct of the men as prisoiners is also cited, and Warden Biddle of Leavenworth is reported in sympathy with the efforts to have the men released. A previous petition and appeal, in 1922, resulted in a review of some of the cases and several commutations of sentences.

Riots—1923.

"MARTYRS' DAY" SET ASIDE FOR DEAD SOLDIERS

Equal Rights League Urges Race to Observe Dec. 11 as "Memorial Hour"

Boston, Mass., Nov. 30.—The National Equal Rights league, of which Rev. T. J. Moppins is president and William Monroe Trotter, secretary, has issued a special appeal to citizens throughout the country to observe Dec. 11 as "honor day" to the 13 soldiers of the 24th infantry who were officially put to death following the Houston affair in 1917. The appeal reads as follows:

"Thirteen soldier martyrs of the 24th U. S. Infantry were ushered into eternity seven years ago, Dec. 11, 1917, with the bravest of hearts and like warriors bold. The death traps were sprung by their Caucasian comrades, and without a tremor they hung suspended until announced 'officially dead' by an ungrateful military authority backed up by a prejudiced Democratic administration. Each life as it went forth into the great beyond was a personification of the rarest bravery, like on dress parade and on battlefield, a courage unparalleled in the annals of history of the U. S. military service.

Day of Sadness

"This day, Dec. 11, although a day of sadness, should also be set apart as a happy reminder that soldiers who loved their Race and country were willing to die as martyrs for a cause that was and is now sapping the vitals of the nation where exasperating, prejudicial racial animosities are destroying the fabric of our national honor. We must render unto the souls of these 13 brave martyrs the homage that a thankful Race can bestow, as an honor whose martyrdom will never be forgotten.

"The National Equal Rights league asks that all Colored posts of the Grand Army, of Spanish War Veterans, of American Legion, of Veterans of Foreign Wars, of Army and Navy Union, and all other veteran and patriotic organizations to join in honor to these 13 soldier martyrs, who were officially murdered by a prejudiced Democratic administration.

Hold Mass Meetings

"The league urges all these veteran and patriotic organizations, all our churches, all our civic, literary and political societies, also branch Equal Rights leagues and citizens or Equal Rights committees acting separately or jointly in every community to hold mass meetings in honor of these soldier martyr heroes on Tuesday, Dec. 11, 1923. At these memorial meetings let resolutions be passed urging President Calvin Coolidge to grant clemency, pardon or parole, to the 50 or more comrades of these dead soldiers, now in federal prison at Fort Leavenworth, Kan., sending them to national headquarters of the league, 103 Court St., Boston, Mass., forthwith, that they may be taken to the White House by special messenger, a Colored American war veteran."

The Dead Martyrs

The dead martyrs to Southern race prejudice are: Sergeant William C. Nesbitt, Corporal Ladson J. Brown, Corporal James Wheatley, Corporal Jesse Moore, Corporal Charles W. Baltimore, Privates William Brackenridge, Carlos Snodgrass, Ira B. Davis, James Divine, Frank Johnson, Risely W. Young, Pat MacWhorter.

Houston.

To The Christian Ministers of America

Six years ago, in August, 1917 a terrible outbreak of rioting occurred in Houston, Texas. This riot occurred when the 24th United States Infantry, one of the four colored regiments, with a splendid record, was sent to Houston prior to being sent to France to fight. These men, wearing the uniform of the United States government were subjected to every possible insult because they were colored. Following a long series of insults, threats and acts of violence a clash occurred when one of the men protested against the brutal handling of a colored woman by a local white policeman. A number of people were killed before the outbreak was ended. 10-13-23

Following the riot a large number of the colored soldiers were arrested and tried while feeling against them yet ran high. Nineteen of them were sentenced to death and later executed, thirteen of them without right of appeal to the War Department or to the President of the United States their Commander-in-Chief. Sixty-one others were sentenced to life imprisonment. For more than six years these men who are guilty of no crime except that they dared to defend their lives against the attacks of a Southern white mob have been imprisoned in Leavenworth Prison.

In 1921 the N. A. A. C. P. gathered and presented to the late President Harding a petition signed by 50,000 citizense requesting that he pardon these men. As a result a number were released on parole after receiving reductions of sentences.

On September 1, 1923, during the Fourteenth Annual Conference of the N. A. A. C. P. which was being held at Kansas City, 558 delegates and members made a pilgrimage to the Leavenworth Prison where they met with the fifty-four martyrs, giving them words of cheer and encouragement. The warden of the prison, William I. Biddle, in an extraordinary frank statement, declared publicly on that occasion that the men "are neither criminals nor murderers" and deserve every effort we may put forth to secure their release.

The plan is as follows:

First, we are asking that you and your church set aside Sunday, November 11, as Houston Martyrs' Day. On that Sunday we are asking every Christian minister in the United States to preach a sermon on this great cause and make it a day of prayer for their freedom.

Second, we want to show to the President of the United States and to others in authority that the demand for the release of the men is a nation-wide one. For that purpose we have drafted a petition to the president, a capoy of which is published herewith. We are asking your church to follow this model and have printed according to the instructions as many of these petitions as you will need, have every member of your church sign the petition, and then mail at once the signed petition to the N. A. A. C. P., 69 Fifth Avenue, (New York City. We will do at this office all the necessary clerical work, arranging the petitions in uniform lots, and by states as well, doing all the things which will make them most impressive when presented in person to President Coolidge.

We have reason for believing that if we act unitedly and promptly we can effect the release of all the fifty-four men from prison. We ought to have a million signatures—we must have at the very least One Hundred Thousand. We feel confident that we can rely on your full co-operation, for this is a cause in which every man and woman, of every race and creed, can work with a will. The colored newspapers, lodges and fraternal organizations, women's clubs, civic bodies and the 450 branches of the N. A. A. C. P. are joining with the churches in this great effort. Will your church do its part? We kno wit will.

Will you write us a word signifying your willingness to join in this great crusade for freedom?

(Signed) James Weldon Johnson,
Secretary

The National Association for the Advancement of Colored People

The Houston Riot Cases

A Summary

In August of 1917 according to a report made by Martha Grueing, special investigator sent to Houston, Texas by the National Association for the Advancement of Colored People, a riot occurred between colored United States soldiers of the 24th Infantry and white persons of Houston, in which numbers of people were killed and injured.

The causes of the riot were given by Miss Gruening as:

1. The habitual brutality of white police officers of Houston in their treatment of colored people.

2. The disarming of members of the colored military police (provost guard) in deference to Southern anti-Negro prejudice, a step without precedent in the United States Army.

3. Lax discipline at Camp Logan involving promiscuous visiting and drinking. 10-13-23

Evidence gathered by Miss Gruening shows that the riot occurred only after two colored soldiers had been wantonly and brutally beaten and shot by white police officers for protesting at the brutal treatment of a colored woman by those white officers. The rumor that one of these colored soldiers, held in deep affection by his fellows, Corporal Baltimore, had been arrested, overtaxed the patience of the colored soldiers who took arms and went toward the police station with the intention of rescuing their comrades, despite orders not to leave their camp.

Unprecedented severity was meted out to the colored soldiers whereas no white person, police officer or civilian was convicted. Nineteen colored soldiers were hanged after summary military court martial without being accorded the usual privilege of having their cases reviewed by their Commander-in-Chief. Sixty-seven were sentenced to life and long term imprisonment. Of the imprisoned, 54 still are in Leavenworth Federal Penitentiary. Of these men Warden W. I. Biddle said recently: "I know these men. They are not murderers." And Warden Biddle not only said the men had been exemplary prisoners, but hoped that efforts for their release would be successful as they had been harshly dealt with. It is in behalf of 54 clean, orderly and exemplary United States colored soldiers, imprisoned since 1917, that the petition asking President Coolidge to exercise executive clemency is being circulated.

The regular Sunday afternoon meetings will open Sunday, October 14, at 4 o'clock in the lobby. A prominent speaker has been secured; good music will be furnished. These meetings will be made a center of inspirational religious life for young men. Every speaker will be a man with a definite message.

Sunday, October 7, Secretary Johnson spoke at the boys' meeting at St Paul M. E. Church at Oxen, Maryland.

Capt. Eugene Davidson, former national intercollegiate wrestling champion and member of the Harvard Uni-

versity wrestling squad for several years, has offered his services to give instruction in wrestling at the Twelfth Street Branch this winter. Courses are now being arranged.

After the games at the formal opening of the "Gymnasium" last Monday night a banquet was served in the auditorium to all participants. Seldom has a more representative group of local athletics been together. Mr. Simmons, "Y" Physical Director constituted himself an impromptu toastmaster. Several speeches were made and enthusiasm ran high. Secretary Johnson told of the plans being made for focussing the athletic life of the city around the "Y".

The "Y" senior basketball squad has begun practicing for the season. Some promising material has reported. Lane, Cousins, Boozy and Davis are among the former stars who will wear the "blue and white" this year. The most successful season in years is expected.

Help Release The Men of the 24th Infantry Imprisoned At Fort Leavenworth

Cleveland Call

By order of the N. A. A. C. P. we are asking that every church, lodge, woman's club, civic organization and other interested groups have petitions printed according to model at left and have them signed to help effect the release of the men of the 24th Infantry imprisoned at Leavenworth for the alleged connection with the Houston riots in 1917. Several factors contribute toward the belief that these men can get out on parole if not full pardoned, one is a change that has been made in the War Department, in a more favorable attitude toward these cases; and secondly, the strong co-operation of Warden Biddle of Leavenworth Prison.

If a petition s not presented you kindly clip this form and use it as one. We urge that you make it your duty to help effect the release of these men. The following is a summary of the Houston Riot Cases:

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THE N. A. A. C. P. AND THE EQUAL RIGHTS LEAGUE.

In an editorial utterance in its issue of Dec. 15, The Express, in referring to the correspondence in regard to the petitions for the release of the imprisoned members of the 24th. Infantry, between the N. A. A. C. P. and the Equal Rights League, stated that the N. A. A. C. P. had asked the Equal Rights League to "desist." That the choice of that word was unfortunate is evidenced by a letter from James Weldon Johnson to the editor calling attention to the error and enclosing a copy of the letter of the N. A. A. C. P. to the Equal Rights League.

Cleveland Express

"When the N. A. A. C. P. undertook the campaign to free the imprisoned members of the 24th Infantry, it was distinctly stated that this was not an N. A. A. C. P. affair only, and churches and organizations of every variety having been invited to join in the work, did so generously.

12-29-23

"We do, however, object to the National Equal Rights League asking, as a press dispatch reports them to have done, that resolutions urging the release of the 24th Infantrymen be sent to their offices in Boston. The success of this campaign depends upon the number of signatures gathered by the N. A. A. C. P. and presented in a mass to President Coolidge. For other organizations to make themselves centers of similar campaigns simply divides the effort and lessens the effectiveness of the whole.

"We again urge that no separate effort be undertaken, and if the National Equal Rights League wants to present its resolutions and signatures to President Coolidge, we urge that that be done together with the N. A. A. C. P. as there is no disposition on our part to deprive any other organization for credit for such work as it may do in this cause."

It is pleasing to note that the cooperation of the Equal Rights League was asked by the N. A. A. C. P. The Express is pleased to correct an impression that was technically erroneous.

Riots—1923.

Tennessee.

Negroes Of Brownsville, Tennessee, Are Threatened

St. Louis Argus
St. Louis, Mo.

Preston News Service

BROWNSVILL, Tenn., Oct. 10.—According to reports being widely circulated in this section among Negroes to the effect that they are to be driven out of the county by the whites officials have taken steps to check up to ascertain if there is any truth in them. In some parts of the county there is considerable apprehension among the Negroes. Authorities declared that it is impossible to trace the origin of these reports or rumors.

10-13-23

Riots – 1923

Pennsylvania.

BLACK-AND-WHITE RIOT IN PITTSBURGH SUBURB

It Rages for Three Hours With Many Casualties—28 Participants Arrested.

Special to The New York Times.

BRADDOCK, Pa., April 16.—Two youths are suffeing from stab wounds, another was severely cut by flying glass, and twenty-eight men—twenty-three negroes and five whites—are under arrest in Braddock and North Braddock today as the result of race rioting, which continued for more than three hours over an area of four blocks between Ninth and Thirteenth Streets on Braddock and Washington Avenues, Braddock, last night. 4-17-23

The rioting started when a crowd of white men and boys, incensed by a report that two young white girls had been insulted in the negro section, in River Avenue, started out to wreak vengeance and encountered two negroes at Ninth Street and Washington Avenue.

In the excitement which followed the police failed to learn the identity of the girls alleged to have been the innocent cause of the rioting.

The most seriously injured are:

James McDonald, aged 20, stabbed seven times in the body.

James McGuire, aged 20, stabbed several times on the head and neck.

Edward Green, aged 19, a negro, severely cut by glass.

A dozen other negroes and as many more whites suffered bruises and lacerations in the many necounters which occurred. Chief of Police Selm and nearly every patrolman in Braddock and North Braddock, together with firemen of Braddock, struggled from 8:30 P. M. until midnight to quell the fighting, at times having half a dozen separate battles to contend with at once.

Mayor Is Defiant on His Order to Negroes

All Not Resident Seven Years Must Go, He Insists.

JOHNSTOWN, Pa., Sept. 27.—Mayor Joseph Cauffiel of Johnstown announced that he had replied by telegraph (and special delivery letter to Governor Pinchot's telegram requesting the reasons for the city executive's recent order that negroes who have resided here for less than seven years must leave. Mayor Cauffiel refused to say what he told the Governor, but reiterated his order that the negroes "must pack up and go."

Asked if he would modify his stand, the mayor declared: "No. I have nothing to apologize for. I will make no excuse to any one. I did what I saw was my duty and I will continue to order every negro who has not lived here seven years to get out and stay out."

Prior to receipt of Governor Pinchot's telegram, Mayor Cauffiel had announced that the negroes who have not obeyed his order would "better do so at once."

The mayor's original order was issued after three city policemen were killed and another injured in a fight with a negro.

ADVANCEMENT ASSOCIATION ACTS ON WHOLESALE DEPORTATION OF JOHNSTOWN, PA., COLORED PEOPLE

The N. Y. News

Wires Governor Pinchot and Mayor—Rushes Special Investigator to the Scene

N. Y. 9-22-23

Announcement was made today by the National Association for the Advancement of Colored People, 69 Fifth avenue, New York city, of prompt action that had been taken to protect the lives, property and civil rights of colored residents of Johnstown, Pa., who are being driven from the city following an order issued a week ago by Mayor Joseph Cauffiel because of the killing of two policemen, the crimes alleged to have been committed by Negroes. The Advancement Association has rushed a special investigator to Johnstown and has wired Governor Gifford M. Pinchot and Mayor Cauffiel characterizing the action taken by the latter as gross exceeding of authority vested in him, pointing out that the only duty incumbent upon him was the apprehension and punishment of the guilty and that he had no authority to drive from the city all Negroes, innocent or guilty, "whose only offense is that their skins are black." The association's telegram demanded of the mayor that he cease the hounding of Negroes and making himself a tool of the Ku Klux Klan.

The telegram to Governor Pinchot read:

"Today's New York neyspapers report that because of the killing of two policemen and the wounding of four others, crimes alleged to have been committed by Negroes of Johnstown, Pa., more than 2,000 Negroes have left Johnstown because of order issued by Mayor Joseph Cauffiel that only Negroes resident in city for seven years would be allowed to remain. National Association for the Advancement of Colored People, with 450 branches and membership of 100,000, composed of members of both races, herewith registers its protest against this high-handed injustice through such wholesale deportation by the mayor of Johnstown of men regardless of innocence or guilt solely because their skins are black. It is so obvious as to make it a superfluous statement that the only action which should have been taken by the mayor and other authorities of Johnstown would have been to seek out and punish those guilty. This association respectfully requests you to use all authority vested in your high office to correct this grievous injustice if the facts stated above are found to be true and to protect the colored citizens of Johnstown against the Ku Klux Klan's methods of Mayor Cauffiel.

"JAMES WELDON JOHNSON,
"Secretary, N. A. A. C. P."

Mayor Cauffiel was wired:

"Press dispatches in today's newspapers report that more than 2,000 Negroes have left Johnstown as a result of your order that only Negroes resident in the city for seven years would be allowed to remain because of shooting of two policemen and wounding of four others, these crimes alleged to have been committed by Negroes. If the facts as reported above are correct National Association for the Advancement of Colored People, with 450 branches and membership of 100,000, composed of members of both races, vigorously protest against this high-handed injustice in such wholesale deportation. It appears to us that you have totally exceeded authority vested in you. It is the duty of the mayor and the other authorities of Johnstown to seek out and punish the guilty instead of punishing men whose only offense is that their skins are black. We respectfully urge that the hounding of colored citizens be stopped and that the city of Johnstown cease making itself a tool for carrying out the threats of the Ku Klux Klan.

"JAMES WELDON JOHNSON,
"Secretary, N. A. A. C. P."

PROTEST ORDER — EXPELLING NEGROES

Johnstown, Pa., Sept. 17.—Vehement protests against his order expelling all Negroes and Mexicans from Johnstown who have lived here less than seven years have been received by Mayor Caufiel. They were from the National Association for the Advancement of Colored People, various other organizations and individual citizens throughout the United States.

The protests invariably branded the mayor as "a second Czar of Russia" and "a Kaiser," and ask that he stop "hounding Negroes." They also charge him with abuse of authority.

The mayor takes the arbitrary position that it does not matter what authority he has. "For their own safety and for the safety of the Johnstown public," he said, "the Negroes are going out of this city. Most of them are out now and the rest of them are going fast." 9-22-23

Blames Negroes for Vice Conditions.

The mayor pulled open a drawer of his desk and displayed a scattered array of telegrams.

"See these?" he said. "They are protests from all over the country, calling me a second 'Czar of Russia,' and a 'Kaiser' and every other thing. They tell me I'm going to get into trouble. I don't care what htey say.

"I wish some of them were here to go into the holes of vice that have been set up in this city and near it by hordes of imported Negroes.

"That has to stop and the Negroes responsible for it must leave the city. If the rest of them don't get out soon I'll arm police and send them into the colonies to walk the Negroes out of town at the point of a gun."

Mayor Caufiel says that he did not order the Negroes out of town, but "requested" them to leave. This request, however, was issued in most drastic terms, and the exodus of 3,000 Negroes followed.

In police court the mayor is dealing with couored people in a most high-handed manner. Every colored man brought before him—no matter how trivial the offense or on what pretext—the sentence is $100 and costs, or ninety days in hte county jail. Mexicans are treated in like manner.

The causes of the mayor's drastic order are two. The direct cause was an outbreak in Rosedale, a labor colony, in which a county detective and a special officer were killed, a captain of police and a patrolman probably fatally injured, and a detective fatally wounded, on last Thursday. Two other policemen were injured.

The indirect cause, which lies at the bottom of the whole trouble, was resentment against the importation of Negro labor by the steel companies, which began several years ago when there was a shortage of labor.

Probably 5,000 Negroes and Mexicans were brought here to work in the large plants of the Bethlehem Steel Company. They were segregated in two large labor colonies. Mayor Caufiel protested against the imporation of this labor several times and it was generally understood that his attitude was unfriendly toward Negroes, to say the least. Washington D.C.

The exodus is going on without any further outbreaks. The Bethlehem Steel Company, under the circumstances, is paying off Negroes and Mexicans as fast as they apply. County authorities have taken no action nad do not indicate that they will interfere with the mayor in the carrying out of this unwarranted order.

SOUTH IS READY TO HELP NEGROES INTO GOOD JOBS

Atlanta Constitution

Dixie Is True Refuge for Blacks Banished From Johnstown by Official "Advice."

9-23-23

COTTON ASSOCIATION OFFERS LEGAL AID

9-23-23

President Wannamaker Declares Only Real Understanding of African Race Is In South.

St. Matthews, S. C., September 22.—(Special.)—The war which President J. S. Wannamaker, of the American Cotton association, has carried into Johnstown, Pa., is reminiscent of certain Punic events. There is the difference, however, that while Scipio proposed relentless persecution of the African, President Wannamaker enters the list in the name of the long time friends of the south to obtain justice for that race in a northern state and community. President Wannamaker sent the following telegram to Governor Guilford Pinchot immediately upon learning of the drastic action taken at Johnstown against negroes generally because of offenses committed by individual members of this race: "We note the attitude of white citizens and the municipality of Johnstown, Pa., toward the negro race as shown in press statements. All law-abiding, industrious negroes are

welcomed anywhere in the south a— will be given immediate employment in cotton fields and on farms where their services are badly needed. The south does not approve of the legal or illegal holding of a community of negroes responsible for unlawful acts of an individual negro as appears to be the case at Johnstown. Race hatred and race riots in the south have been rare and of extremely limited and isolated instances since emancipation. There is no recorded instances in the south of legally attempting to disband and drive out a community of negroes engaged in lawful and industrial pursuits of life. The two races have lived in peace and harmony where the laws are respected and industry pursued."

This was followed up by a telegram to the mayor of Johnstown in which President Wannamaker vigorously condemns the injustice of the course of conduct which would seem to outlaw the negro race as such for illegal acts committed by individuals of that race. He re-enforced this protest by an offer to pay the fines of negroes punished for no other reason than that they were negroes and to provide counsel for them at the expense of the American Cotton association to defend them and their rights in the courts of their state or the nation.

The following is the full text of the telegram: "All law-abiding, industrious negroes welcomed anywhere in the south and given immediate employment in cotton fields, on farms and in industrial enterprises where their services are badly needed. Citizens of the south do not approve of the legal or illegal holding of community of negroes responsible for unlawful acts of individual negroes as it appears to be the case at Johnstown. Will appreciate if you will advise if full sentence passed against negroes will be enforced. According to press reports some twenty-odd negroes being sentenced to service on chaingang. These negroes and all negroes who have moved to Johnstown in last several years being forced to leave Johnstown at expiration of sentence. Have negroes legal counsel? If negroes have no legal counsel then as matter of appreciation of faithful service rendered by negroes of the south, both during and since slavery, especially during period of war between states and since war between the states, when they were not influenced by carpetbaggers and scalawags of other races and as matter of simple justice, kindly advise negroes we will arrange to secure them legal counsel to enable them to secure justice to which they are entitled, both under moral and legal law, if they so desire. This will carry no obligation on part of negroes to come south if they do not desire to do so. Fines imposed upon community of law-abiding negroes for acts of individual negroes will be paid and transportation furnished to such law-abiding negroes any section of the south they may prefer and they will be furnished with employment in cotton fields, on farms and industrial plants where services badly needed, and under no condition will they be

Continued from First Page.

held responsible as a community or race either legally or illegally for unlawful acts of individual negroes. Please release this information through the press. Will appreciate immediate reply."

President Wannamaker is only carrying out in this matter a point he has frequently emphasized in his public addresses, namely, that the white people of the south are in final analysis the best friends the negro race has in America. He vigorously maintains that the southern white man knows, understands, and at heart sympathizes with the negro as the white men of no other section do, and he is equally convinced that the masses of the negro race can live, thrive and ultimately develop to better advantage in the southern states than in any other part of the country. His purpose in the present instance is to give a vigorous and practical demonstration of the south's readiness to protect negroes as a community and as a race against mere race injustice and antipathy wherever such animosity may attempt to assert itself. In a sense he is carrying his war for the African into Africa, for his defense of the negroes' rights is to be made in a section which has been wont to arrogate to itself credit for being the only true friend and defender of the colored man. It is a situation not without drama, picturesqueness and originality. It is well calculated to precipitate controversy and feelings of the most intense and acrimonious character but questions of far-reaching national consequence are at stake and President Wannamaker is preparing to thrash the whole matter out in the courts of the country.

NEGRO IN THE NORTH.

Negroes of the south, who for a few months flocked to the industrial centers of the north and central west on the lure of big wages and better living conditions and "a friendlier social atmosphere," are learning from contact some lessons that may eventually be helpful to the race.

Certain it is when their dream-idols have been fully shattered, the influence of "a better understanding" will be a general steadying of conditions along the paths that the negro travels.

The following dispatch from Johnstown, Pa., coming so closely on the heels of the hurried exodus of 1,500 negroes from South Bend, Ind., as a result of "terrorizing the black quarters," is significant —

"Johnstown, Pa., September 14.—(By Associated Press.)—More than 2,000 negroes have left Johnstown since Mayor Cauffiel declared a week ago that only negro residents in the city for seven years would be allowed to remain. The mayor said today that no more can be brought here from the south.

"'We have been sitting on a bomb in this city,' said the mayor, 'and it almost exploded last week,' recalling the killing of three policemen and the wounding of five others by a negro.

"'I feared an outbreak against the negroes unless I acted promptly,' he said. 'Many of the newcomers are bad people, including ex-convicts.'"

It will be recalled that the municipal authorities in many of the cities of the north have publicly advised, in orderly but direct manner, against negroes moving to their cities. They point out that the congested living conditions are menacing to health, and that property owners in the negro section have increased the rents to almost prohibitive figures.

Quite true it is that the bodies of hundreds of negroes have been brought back for burial in the south in which they were born, within the last twelve months, pneumonia, small pox and other fatal diseases demanding an enormous toll.

The Constitution, as did other papers in the south, pointed out to the negroes at the beginning of the migration storm, what the final result would be. The movement away has subsided, and the movement back has begun, but thousands of them are said to be practically stranded and cannot get back, without those whom they left behind in the south send them the funds to pay transportation. The negro is not resourceful as a hobo.

The negro belongs in the south; and he belongs to work. He fits in in southern activities, and if deserving the southern white people are his best friends. He is finding it out—even if the lesson has been painfully administered.

Negro Immigrants Ordered From Town By Northern Mayor

New York, September 14.—Mayor Joseph Cauffiel, of Johnstown, Pa. has ordered all negroes who have resided in that city for a period of less than seven years to leave town, the American Civil Liberties union announced today it had been informed by Warren Worth Bailey, former Pennsylvania senator and editor of The Johnstown Democrat.

The mayor has also issued an order forbidding all future importations of negroes and has announced that he will compel every negro visiting that city in the future to report to either the mayor or the chief of police, the Civil Liberties union declare it was informed. Until further orders from the mayor negroes living in Johnstown are prohibited from holding public gatherings and will not be allowed to assemble except for church, it was said.

Johnstown, Pa., September 14.—More than 2,000 negroes have left Johnstown since Mayor Cauffiel declared a week ago that only negro residents in the city for seven years would be allowed to remain, said the mayor today in outlining the reasons why he had taken action against them. More are going, he added, and it was his intention to see that no more were brought here from the south.

"We have been sitting on a bomb in this city," said Mayor Cauffiel, "and it almost exploded last week when two of our policemen were killed and four others so badly wounded that one of them has since died and two others are so dangerously hurt their deaths may be expected at any time. This was done by a negro who had quarreled with his wife.

"I was away, and when I came home and found the city in a ferment I decided that the only thing to do was to send these newcomers out of town and keep them out. Resentment was running high. No less than a dozen flaming crosses were burned on the hilltops around the city and I feared an outbreak against the negroes unless I acted promptly. I swore in a lot of extra policemen, arranged to have the state police come in on short notice and then began disarming negroes."

The old negro residents are "all right," said the mayor, but many of the newcomers are "bad people," including ex-convicts. "I have no objection to the negro because he is a negro," the mayor added, "but the situation was such that we had to act quickly."

THE JOHNSTOWN' BIGABOO

It is to be deplored that such a calanity should have befallen the city of Johnstown, Pa. It seems as if this little town must constantly remain in the spotlight of public opinion. It has not been so many years ago when the rush of mighty floods gave trouble to the citizen-body. and now comes the rush of crime wave which is giving the entire nation a subject for discussion. The peremptory order of the mayor of the city, which carried with it the command that all Negro citizens who had not resided in the plac seven years must leave gives rise to legal consideration regarding it. It brought forththe objection of the National Association for the Advancement of colored people and drove this organization to implore intervention by Gov. Pinchot. Following the importunities, a telegram went forward to the Mayor of Johnstown, the import of which has not yet been made public. A statement from the Governor, however, gives evidence of adverse opinion onhis part regarding the order af the Mayor and to the committee he declared that the rights of citizens shall not be abndged in the state of Pennsylvania.

We repeat that it is to be regretted that our people should commit crime and that they as a consequence, are driven about like dumb driven cattle. The Mayor of Johnstown can no more afford to criticise the South. It matters not what qrovaction, the the strong arm of law should have been used to ferret out the perpetrators of these foul deeds and the penalty of such infractions should have been inflicted upon them. The innocent should not have been made to suffer with the guilty. This would have been in consonance with the full signification of the law. For, Blackstone says that "law in its general and most comprehensive sense, signifies a rule of action and it is applied to all kinds of action, whether animate or inanimate, rational or irrational.,, Then the law, it seems to us, is really sufficiently comprehensive to have made possible the arrest and conviction of the criminals among the group. This would have obviated the necessity of making the innocent suffer with guilty. Johnstown becomes a foul spot in the fair State of Pennsylvania.

Riots—1923.

Pennsylvania.

That newly acquired habit of certain northern townships of seeking to drive our people from their confines does not speak well for the North. No doubt some of the floaters from the South have come up and offended these people who, not being acquainted with black folks, and inspired by the false gospel of the Klan, have lost no time in adopting this far-fetched and inadequate remedy. The black people will not return to the South because of such a small indignity of being ejected from a northern town, because in the southland from whence they came there are certain townships and well defined boundaries, which they dare not pass or enter. The black people are accustomed to insults and abuses, but the North departs from its traditions and does not reason itself out of this new and perhaps embarrassing situation. The newcomers from the South must be treated with patience and no drastic measures will do any good. Let the North be calm and considerate and study the problem with intelligence and it will be easily taken care of. A little common sense would lead them to know that the South and its vindictiveness has been both a failure and a disgrace to the country. If you drive us out we will be back again, anyway.

MEMPHIS, TENN. Com. Appeal
SEP 25 1923

Johnstown and Tuskegee.

Johnstown is in Pennsylvania. Tuskegee is in Alabama.

The public knows what is happening in Johnstown. The mayor of the town has ordered every negro who has not been a resident for seven years or more to pack up and get out.

If the white citizens of the town believe that his decree is unjust, they have so far failed to register an objection. Therefore, it is fair to assume that their views are in accord with those of their chief executive.

At intervals we learn of something that is happening at Tuskegee. The institution made famous by Booker T. Washington is located there. Washington is dead, but his work goes on.

George Washington Carver is a member of the institute faculty. He has just been awarded the prized Spingarn medal for his work in agricultural chemistry, his chosen field. It is claimed that Carver has produced 118 products from the sweet potato and 165 from the peanut. That beats the two blades of grass feat all to hollow.

There are two points of the story worthy of emphasis.

The first is that, while northern whites may contribute money to aid negro institutions and offer medals for excellence in any line of endeavor, they would rather he live and function in parts far removed from them. The intolerance of the white people of Johnstown is but one of many such exhibitions that may be cited in proof.

The second point is the aptitude of the negro in agricultural affairs. The south is an agricultural section, and therefore offers the greatest opportunities for agriculturists.

The citizens of Tuskegee are responsible for the great negro school located there. It was on their suggestion that the work of establishing the institute was begun by Booker Washington. This great negro educator publicly declared that the negro fared better in the south.

But we don't have to go as far back as the days of Booker T. Washington for proof of this. Right here in Memphis we have some negro leaders who are capable of giving splendid advice to members of the race. Before the negro falls victim to the wiles of labor agents and sets out on a wild goose chase, he would profit by conferring with race leaders who know conditions in all sections.

Let him ask Sutton E. Griggs, or Thomas O. Fuller, or Bert M. Roddy, or Alfred F. Ward. Griggs and Fuller are preachers; Roddy and Ward are bankers. They are in position to advise the negro as to what is best for him spiritually, mentally, physically and financially. It ought not to be hard for the black man to choose between the Johnstown way and the Tuskegee way.

Desperate Living Conditions of Negroes in Johnstown, Pa., Drawn From the South by Promise of High Wages

THE action of the Mayor of Johnstown, Pa., in practically ordering from that city all negroes who had not been living there as much as seven years, has created a storm of protest throughout the country against such high handed proceedings. However illegal may have been the Mayor's action, the situation was certainly a very desperate one so far as regards the actual living conditions of the negroes who had been drawn to Johnstown for employment in the industrial enterprises of that community.

We do not know who is responsible for bringing these thousands of negroes to Johnstown, but somebody deserves the severest condemnation for permitting the conditions under which these negroes lived if they were as bad as reported by the Mayor of the city, and by Prof. Miller of Howard University at Washington. In some places to which negroes from the South have gone, and we believe this is pre-eminently true in Baltimore, they have not been subjected to any such conditions as reported from Johnstown.

Prof. Kelly Miller, Dean of the Junior College of Howard University, Washington, D. C., in a letter to the Philadelphia Ledger gives an appalling account of the conditions he found in the negro section of Johnstown. In the course of his letter he said:

"I was in Johnstown last spring and was amazed at the lamentable condition of the negro laborers in that smoky hollow. The town, to use the language of Julius Caesar, is hemmed in by the nature of the place.

"I have visited all types and kinds of communities in which negroes live in all parts of the United States. I have seen them in alleys and shade places; I have witnessed their poverty and distress in city and country. But I can truthfully say that it has never been my good fortune or misfortune to look upon such pitiable conditions as prevailed in Johnstown.

"Only two colored families, I was told, owned their homes. This was not due so much to the indolence of the people as to the impossibility of purchasing homes under existing limitations and restrictions. There were two negro churches, with a combined seating capacity of fewer than 800 for a negro population of 4000 or 5000 souls. There was no place of amusement or healthy recreation.

"The population consisted largely of raw recruits from the South without the wholesome influence of home, church or social agency. The men lived largely in stockades, where dampness, dirt and disease were their constant companions. I visited a stockade with 100 inmates. There were no modern sanitary provisions. The sheets and pillow cases, judging from appearance, had not been changed for six months. Smoke and dirt and grease had accumulated upon the floor half an inch thick. My soul sank within me as I saw splendid specimens of physical young manhood, fresh from the open air of the South, immersed in this dreadful environment, destructive alike to body and soul.

"I visited a shanty in one of the remote hollows with four rooms and thirty-seven inmates. There was a single lamp without chimney, whose dense smoke stifled the air. I was driven through the red-light district, which was too loathsome to attempt to describe. Dirt and dampness brooded over the place and made it pregnant with disease and death. Pneumonia took its daily toll. Human life is simply impossible in such an environment as this.

"Under such circumstances only two modes of pastime are predicable: immorality and gambling. These men were all employed in the mills at remunerative wages. The surplus left from the exactions of the boarding-house keepers and stockade tax was spent in carousing and gambling. When a set of men gamble among themselves, one man's loss is supposed to be another man's gain. But in Johnstown all the men are broke and no one seems any better off after the game is over.

"There must have been somewhere a hidden master hand. The faults of manifestation were not in these men, but in their environment. Who of my readers would be strong enough to survive such immurement as this? The test is too great for frail human nature.

"These young fellows had in them the raw material of respectable and useful manhood. My heart went out in compassion for them. I at once wrote Mr. Eugene Kinckle Jones, executive secretary of the Urban League, advising him to make an investigation of this field with a view of establishing a branch in this afflicted spot. I regret that the financial status of the organization did not justify the venture at that time.

"I was prepared at any moment to hear of some dreadful happening in Johnstown. The fault of the situation and the responsibility therefor rests upon the shoulders of the controlling citizens of the community who allow their fellowmen to live on such a degraded level of existence. The outbreak in any mode of crime, though appalling, is but the logical outcome of a degraded environment.

"The vindictive Mayor of Johnstown is breathing out vengeance upon the whole racial contingent because of the criminal outbreak of a few. He would better serve his city, state and nation by remedying the environment which breeds the criminal rather than himself becoming a greater criminal by violating every law of God or man."

NEGROES VANISH FROM HOSTILE STEEL TOWN

Johnstown Black Ba... Almost Deser...

MAYOR'S HARS... ACTION

Sticks Heavy Fines on Negroes, After Ordering Them to Leave Town—Pennsylvania Now Tires of Its Bargain With Southern Whites

Tuskegee Inst. Ala. Archive 20Oct23

Public Ledger-The Commercial Appeal Special.)

JOHNSTOWN, Pa., Sept. 17.—Rosedale, Johnstown suburb, where two weeks ago more than 3,000 negroes and Mexicans resided, is practically deserted today, only a few negroes loitering about the long rows of bunk houses built in the last few years by the Cambria plant of the Bethlehem Steel Corporation, importing thousands of negro laborers here from Baltimore and other shipping points in an effort to keep up steel production in the face of large orders and scarcity of white labor.

The desertion of Rosedale followed fast upon a sweeping order issued through a Johnstown newspaper by Mayor Joseph Cauffiel in which all negroes, not resident of Johnstown for at least seven years, were summarily told to leave the city. The negroes, terrorized by the drastic terms used by the mayor and the manner in which he is treating suspects brought into his police court every morning, are not tarrying many hours.

Memphis Tenn

Has No Authority for Action.

The mayor, according to his own admission and the opinion of the city solicitor and district attorney, has no authority behind his proclamation. The negroes, however, who have left by the thousands, and are still leaving as fast as Bethlehem can pay them off, do not know this. They know only what less fortunate of their members, returning from appearances in the police court, tell them. Mayor Cauffiel, conducting the police court, does so in much this manner with every negro brought before him, no matter how trivial the offense:

"Where are you from?"

"Alabama."

"Better have stayed there. They know how to take care of you down there. You know, nigger, you'd be hanging from a tree in Alabama if you and your kind had killed three white policemen and just about killed three others.

"You start right back to Alabama. Ninety days in the county jail, or $100 and costs. Better pay your fine, nigger, and then get out of this state within five hours. If any of the policemen see you again you will be brought back here and you'll stay here from then on."

It is believed there are more than 100 negroes, unable to pay the $100 and costs imposed upon them for being "suspicious," in the county jail at Ebensburg. This morning eight negroes faced the mayor in court and five of them went to the county jail, the others paying fines.

Public Is Passive.

The public of Johnstown has not protested the mayor's action. This has been due largely to the fact that two newspapers of the city, fearing the outbreak of race riots and believing that the mayor, whom they oppose politically, is putting on a grandstand play on the eve of election, refuse to give any publicity to the negro situation. It is also believed that Johnstown is tired of imported labor and would be just as well satisfied if the mayor succeeded in chasing out all negroes imported here within the last few years.

There are two negro colonies in Johnstown, but the other one, Franklin, is just outside the limits of the city proper and not under jurisdiction of Mayor Cauffiel or the Johnstown police. The dope dives, moonshine, saloons, and houses of prostitution that Mayor Cauffiel claims are run by the negroes are located in Franklin, the negroes from Rosedale having easy access to them.

"Franklin is a hell hole of the most disgusting vice that a white man ever knew," the mayor declared today. "There is dope there and the vilest of moonshine. The negroes from Rosedale sneaked around the hills to Franklin, got their dope and their moonshine, and went back home to terrorize the Johnstown police.

"I've asked the state police to clear out Franklin. I can't get anybody to take action. The Johnstown police know where every dive is in Franklin, but we can do nothing. If I had my way the state police and the Johnstown police would go up there the first night possible and with riot guns and any other means clean out the whole lot."

Franklin is a separate borough adjoining one of the big plants of the Bethlehem Steel Company. The borough employs two policemen at night time to patrol a negro colony that, few weeks ago, had more than 2,000 negroes in it.

It was common knowledge in Johnstown, even before the Rosedale riot, that every Franklin negro was armed. The populatin of Franklin has decreased slightly since the mayor started his crusade.

N. A. A. C. P. AGAIN WIRES GOV. OF PA. PROTESTING EXPULSION

The Freeman

Citizens of Color Driven From Stowe, Pa.

Indianapolis

NEW YORK, Oct. 19.—A second expulsion of Negroes from a Pennsylvania town, following the Johnstown affair, this time from Stowe, Pa., brought immediate telegraphic protest to Governor Pinchot from the National Association for the Advancement of Colored People. The following telegram was sent to Governor Pinchot, on Oct. 11, signed by James Weldon Johnson, Secretary of the Advancement Association:

10-20-23

"It is again our unpleasant duty to call your attention to another attempt to drive Negroes, regardless of innocence or guilt from a Pennsylvania town because of a crime charged to one colored man. This incident arose in the Stowe township district and press dispatches report that many Negroes have left there after being ordered to get out by a Vigilance committee on the night of Oct. 9th. May we again request of you, action to prevent injustice to these colored citizens and protection of their civil rights?"

EXPEL NEGROES FROM PENNSYLVANIA TOWN

Federated

NEW YORK.—The second expulsion of Negroes from a Pennsylvania town, Stowe township section, by a self-appointed vigilance committee, following a similar outrage at Johnstown, brought protest from the Natl. Assn. for the Advancement of Colored People here, through its secretary, James Weldon Johnson. In a telegram to Governor Pinchot, he says:

Press Bulletin

10-20-23

"It is again our unpleasant duty to call to your attention another attempt to drive Negroes, regardless of innocence or guilt, from a Pennsylvania town because of a crime charged to one colored man. This incident arose in the Stowe township district, and press dispatches report that many Negroes have left there after being ordered to get out by a vigilance committee on the night of Oct. 9. May we again request of you action to prevent injustice to these colored citizens and protection of their civil rights."

Wagons and trucks of Negroes, in fear of their lives, are reported to have left Stowe township and proceeded to a safer but unknown destination when a vigilance committee of more than 200 men ordered them to get out at once and stay out. Not content with the expulsion order, the vigilants are said to have visited all the Negro families and the Negro workers 'camps, throwing stones at the cabins which the police later found empty and the windows shattered. Leaders of this lawless band serenely announced their action to the police authorities, who are reported as saying that they were "aware of what the committee was doing but did not interfere so long as there was no violence."

Chicago Tribune

Most of the Negro residents of this section, estimated at from 400 to 500, are newcomers who have been induced to come there to work in the steel plants, and it is reported that the industrial plants felt the effect of the sudden exodus within a few hours after its occurrence. The Negroes left quickly, despite their fear and bewilderment. Their self-appointed persecutors ordered them out because of the alleged slaying by one of their race of an elderly white man and the wounding of his granddaughter, who lived near the colored section. The assailant escaped.

CHARLESTON, S. C. NEWS-COUR

SEPTEMBER 21, 1923

The Negro in the North

Governor Pinchot does well to ask Mayor Cauffield, of Johnstown, Pa., what he means but so far the Governor has received little satisfaction from the mayor. The latter broke into the news recently by ordering all negroes who had not been residents of the town for seven years to leave immediately, the cause of the order being the killing of two policemen and the wounding of four others by negroes. Governor Pinchot does not seem to have taken official notice of this extraordinary action until he had been requested to do so by the National Association for the Advancement of Colored People. Then he wired Mayor Cauffield for "a full statement of facts and reasons," at the same time assuring the association that the whole power of the Commonwealth would be used, if necessary, to maintain "constitutional rights" at Johnstown.

It looks as if the Governor may be compelled to adopt drastic measures, the Mayor of Johnstown having refused to rescind his order. "I have nothing to apologize for," says the Mayor. "I will make no excuse to anybody. I did what I thought was my duty and will continue to order every negro who has not lived here seven years to get out and stay out."

Persons in the North who have contended that there would not be any race problem in this country if it were not for the intolerance of the white people of the South should now devote their attention to Johnstown, Pa. Evidently there is not perfect harmony between the races at Johnstown. Intelligent negroes in the South who have some influence among the members of their race, should consider the Johnstown episode carefully before advising their friends and neighbors to go North. On the whole, the negro migration has been a good thing for the white South; but, as for the Southern negro, Johnstown is just another proof that the South is the best place for him.

Riots—1923. Pennsylvania.

CITIZENS OF JOHNSTOWN REPLY TO MAYOR CAUFFIEL'S DEPORTATION ORDER BY DEFEATING HIM AT POLLS

Governor Pinchot Rebukes Self Styled "Ivan"—Tells N. A. A. C. P. That Negro's Rights Will Be Protected

Pittsburgh Courier

JOHNSTOWN, Pa., Sept. 19.—Joseph Cauffiel, self styled "Ivan the Terrible," arch persecutor, has been called to account for his infamous edict ordering the wholesale deportation of Negroes from this city. Mayor Cauffiel, following the killing of two policemen, by Negroes, is credited with ordering all Negroes who have not been residents of Johnstown for seven years to leave immediately; commanding all Negroes coming to Johnstown to report to himself or the chief of police their business here, and denying to Negroes the right of assembly other than for worship.

Following the protest of the National Associaton for the Advancement of Colored People, Governor Pinchot telegraphed the association that "the whole power of this commonwealth will be used, if necessary, to maintain constitutional rights."

The governor also announced that the mayor had been wired requesting a "full statement of facts and reason for action taken."

Cauffiel Defeated at Polls

The despicable mayor was further rebuked yesterday in the election in which he was swamped for a second term. Not only Negroes, but also the whites registered their harsh disapproval of this iniquitous modern Biblical Haman, who has attempted to inject poisonous venom into the hearts of the local citizenry against a peaceful people who have come at their own invitation.

It is believed in authentic circles that the mayor issued his ignominious decree bidding for the vote of the Ku Klux Klan and its sympathizers. The returns of yesterday's voting showed that he had made himself very unpopular and was trailing behind in fourth or fifth place.

PINCHOT PROBES STOWE TOWNSHIP "GET OUT" ORDER

Sends A Special Investigator There and Says Citizen Rights Must Be Upheld

Pittsburgh Courier 9-22-23

A personal representative of Gov. Pinchot is making an investigation of the exodus of Negroes from Stowe township, which followed the murder two weeks ago of Thomas Rowland, aged 75 years, when he sought to protect his 11-year-old granddaughter, Edith Colter, from attack by an unknown highwayman.

The investigator, it is said, is the same who went to Johnstown recently to gather facts relative to the driving out of Negroes there as a result of a shooting affair in which several Johnstown policemen were victims. He has consulted with Negro attorneys who represented a number of Negro residents of Stowe township and is preparing a report which he will submit to the governor.

Made No Appeal.

While Gov. Pinchot was not appealed to by Stowe township Negroes for protection against being ousted by a vigilance committee, so far as is known, the governor, in connection with the Johnstown trouble, annouced that he would use his authority to see that the Negroes were not discriminated against and deprived of constitutional rights.

The self-appointed committee of vigilantes who ordered the men to leave the district announced at the time that the ultimatum was not directed against law-abiding Negroes who were permanent residents, but against "newcomers" from the south.

Still Seeking Slayer.

The county authorities thus far have made little progress in their hunt for the murderer. They have made several hurried trips to different points after receiving information that the fugitive was in custody, only to find that the prisoner was the wrong man.

Thousands of Negroes Sent From Johnstown

Wilmington Advocate 9-8-23

Johnstown, Pa., Sept. 8.—Sale or display of firearms in any Johnstown store or pawnshop is prohibited indefinitely in a proclamation of Mayor Joseph Cauffiel, as another move in the Negro situation here following rioting early Friday morning in Rosedale, Negro colony maintained by the Cambria plant of the Bethlehem Steel Corporation.

Deportation of Negroes from the city started Saturday morning when seven appearing in Police Court following a rounding-up of all suspects from the Rosedale affair, were ordered out of town immediately. Eight other suspects were fined $100 and costs or ninety days in jail.

City Council and officials of Cambria plant of the Bethlehem Steel Corporation met and outlined a plan for the gradual deportation of several thousand Negroes from the city.

State troops and extra forces of Johnstown police are still on duty patrolling the central section of the city as well as the Negro and Mexican labor colonies. Outbreak of race riots is feared at any time, especially should one or both of the police officers now at the point of death in Memorial Hospital die.

The cross of the Ku Klux Klan burned all night on a hillside immediately above Rosedale, another cross being lighted as soon as the fire from one died down. More than 500 Klansmen in uniform circled about the cross on the hillside in a demonstration at midnight.

State troopers and Johnstown police completely segregated the Rosedale section, guards keeping all groups of white curiosity-seekers from crossing the bridge into the Negro section. Negroes are being kept within the colony to prevent disturbances.

State troopers will remain in Johnstown even after fear of outbreak has abated, to clean out alleged dope, moonshine and gambling dens that have been flourishing in the Rosedale section. Police incline to the belief that Young, leader of the Negro forces in the battle in which the officers lost their lives, was infuriated by dope and not moonshine. The officers point to the deadly aim of the Negro, who later lost his life, in killing County Detective James and Policeman Abrahams, and so wounding Captain Fink and Patrolman Grachan that they are not expected to recover.

White Rioters (?) In Philadelphia Are Not Arrested

The Pittsburgh Courier 8-18-23 Pittsburgh, Pa.

According to the omnipotent Department of Public Safety all the racial brawls which are of too frequent occurence lately are caused by our group and not by white people as these excerpts from Monday's police records are made to show:

Race rioting in South Philadelphia broke out again at Third and Federal streets, when Chalmers McDowell, of Oxford street, is said to have told Joseph Pine, of 1232 Moyamensing avenue, a white man, that he wasn't wanted in that neighborhood and struck Pine on the jaw.

Instantly white men rushed to his assistance. McDowell drew a gun and when the crowd increased he fired shots in the air, held the men at bay and boarded a trolley car, firing another shot through the window and throwing his gun away.

The motorman brought his car to a stop and threw open the door to let a policeman get McDowell, who jumped out of a window and started to run. The crowd, then five times as large, made after them, catching him at Seventh and Kimball streets. He was protected by a patrolman and arrested on charges of inciting to riot, carrying concealed weapons, and firing shots wantonly.

George Jones, of Bainbridge St., near Twelfth, was arrested by Motorcycle Policeman Leoni, of the Second district, after a chase in which several shots were exchanged between Jones and the policeman. The prisoner was charged with inciting to riot some men who engaged in a fight with white men near Third and Bainbridge streets.

The combatants fled at the appearance of the policeman, who pursued Jones, who is an alleged leader of the colored men. He was held by Magistrate Grellis in $2,500 bail for further hearing.

'GET OUT', ORDER GIVEN NEGROES OF STOWE TWP.

Pittsburgh Courier

Johnstown Mayor's Action Repeated in McKees Rocks —Self-Appointed "Vigilance Committee" Imitate Klan.

American BULLETIN Pittsburgh, Pa. 10-12-23

Emulating the example of the now repudiated and whimpering Mayor Cauffiel, of Johnstown, Pa., a self-styled and self-constituted "vigilance committee" made up of a hundred or more whites of Stowe Township, suburb of Pittsburgh, Tuesday night, October 9, took the law into their own hands and is said to have visited every Negro family in the district, as well as several Negro labor camps and ordered all to leave town within 24 hours.

The order to leave town was said to be an outgrowth of the murder of Thomas Rowland, aged white citizen and the wounding of his granddaughter, Edith Colter, and [illegible] by an unidentified assailant thought to be a colored highwayman, who waylaid

them near West Park, Saturday night.

The self-empowered "vigilance committee," according to information obtained by the Stowe Township police divided into squads and canvassed the entire section. Whenever a Negro was encountered he was stopped and warned to leave the township. At time of our going to press no Negro so far as can be learned, had obeyed the order to "get out," evidently acting upon the principle that the innocent and unoffending should accept no responsibility for the crime and that they were going to stand firm upon their citizenship rights.

The largest delegation of the vigilance committee visited the railroad labor camp. All of the Negroes there had heard of the warning and were in the camp at the time. The men accepted the order to move passively and were apparently unmoved by it. It is said that none of hte Negroes left either the camp or their homes in the township during the night.

JOHNSTOWN'S WARNING.

The backbone of the movemen of negroes from the south into th industrial centers of the north an central west has undoubtedly bee broken. A few of the relatives mostly women, of those who ar more permanently established tha the majority, are going, but the exodus, as such, has been halted, an largely by reason of the environments they encounter in these centers.

In many of the cities, St. Louis and Kansas City and Pittsburg, to illustrate, the landlords of negro enement houses are alleged to have run the rentals up to such exorbitant rates that either all of the wages of the negro workers are consumed in living expenses, or such a congestion has ensued that living conditions have become intolerable. In the better regulated centers the health and sanitary forces have stepped in to cope with that menace, and hence the negroes have been made to meet the confiscatory prices for better living, or have been forced to move on.

The truth is when industry began to reach out for negro labor, due to the 1921 immigration restriction act, the labor agents took up the recruiting, sent their representatives to the south, and imposed upon the negroes in the most shameful manner perhaps known in modern history. They were painted vari-colored pictures of high wages, social and educational advantages, community recreations, etc., in a way that appealed to their impression-

Commercial Appeal Memphis Tenn.

10-12-23

Constitution

10-12-23

10-5-23

able natures, and that penetrated the very heart of their ignorance. When the emigrants reached the industrial centers, usually upon tickets bought by the labor recruiters and for which they were made to repay from their wages, they found conditions entirely different from the stories that had been told them. Hundreds of them tried to get back south, but could not do so unless obtaining money from the south. Many of them did this; but thousands were forced to remain, and with gambling, immorality, high rents and other living expenses pressing upon them either temptations or necessities they have been unable to get a week's wages ahead. In the meantime hundreds of them have died, and with living conditions inviting pneumonia in most of the centers it is horrible to contemplate the toll that the winter will exact.

In this connection, and as an illustration of the horrors of living conditions at Johnstown, Pa., we are reprinting on this page an article from The Manufacturers' Record, which incorporates the report made by Professor Kelly Miller, of Howard university, as recently published in The Philadelphia Public Ledger.

Especial interest attaches to this because it will be recalled the mayor of Johnstown recently issued an edict against the further establishment of negro residents in that city, and practically ordering away all of the negroes who had been imported into the place in the last seven years. It aroused a storm of protest. The suggestion that the city executive should have forced a revision of the living conditions is a correct one, but according to the report made by the Howard professor, he at the same time realized the growing menace to the life and health of all the people, black and white, as well as the growing menace of immorality that always incubates in such environments, and he took the shortest and quickest, even if arbitrary, course toward a remedy.

The recital of Professor Miller is interesting, and the description of the housing condition of the 5,000 negroes imported into the Johnstown industries reads as almost incredible.

The labor agents who came into the south and deliberately and maliciously sold the tens of thousand of trusting negroes, all of them ignorant to their wiles, into such conditions and into such environments are responsible for one of the most deplorable situations in enlightened times; and the law should even yet make them pay.

Some More Simon Legrees.

Commercial Appeal Memphis Tenn.

Under the force of violence, intimidation and compulsion once again have the colored brothers begun a sad Hegira from their newly found northern homes. From McKees Rock Pennsylvania, comes the word that a tattered caravan with no funds and few possessions moved through there slowly and sorrowfully. It is indeed a poignant and pathetic picture described for us in the news columns of the lonely trek by the negroes and their families away from what had been their homes and hopes.

Hundreds of negroes passed through McKees Rock going, they hardly knew why, to some place they knew not where. As the correspondents describe the sorrow stricken parade, it moved on foot, in wagons and trucks and even pushing in wheelbarrows all that remained of the individual's earthly possessions. Terror showed in the eyes of the tatterdemalions who had gone through a night of terror and who were to all appearances still fearful of their lives. Because one of their race had been guilty of killing an old man and attacking his granddaughter, the whole negro colony brought down upon itself the wrath of its white neighbors. All of the negroes were stoned, abused, threatened and subjected to physical mistreatment. Then they were warned to leave and they did not stand upon the order of the going. 10-12-23

And all the violence, all the threats, all the cruelty happened—mark the name—in Stowe Township. That word Stowe should have a familiar sound both north of and south of the old Mason and Dixon line. The name of Mrs. Harriet Beecher Stowe is still almost as fresh in the minds of Americans today as it was some 60 and 70 years ago. We doubt not that the title of Stowe Township was derived from Mrs. Stowe, or her family, and that her memory is still treasured there as a sort of patron saint. Doubtless, too, her "Uncle Tom's Cabin," the book that did as much to bring on the Civil War as any other agency, is repeated in Stowe Township every now and then by some barnstorming theatrical troupe.

Unquestionably the people of Stowe Township many a time and oft have weeped over the dramatic presentation of the sad story of Uncle Tom and Little Eva. Between tears, it is certain, they have pronounced their maledictions and anathemas upon the heads of the half-civilized race in the southern states that could produce a Simon Legree. It is not too much to say that every crack of Simon's whip has been rehearsed by the growing generation of Stowe Township and with it went some opprobrious epithet for the south.

But the colored brother in a propaganda novel is one thing to the people of Stowe Township and the colored brother in reality is quite another thing. Stowe Township may love an imaginary negro, but it seems to hate a real one. As badly as the south has been painted to Stowe Township, it should be realized there by now that southerners are kind in the treatment of the negro. At least the south does not punish a whole community of negroes for the crime of an individual, as Stowe Township and her sister city of Johnstown, Pennsylvania, have done.

Where was the sympathy for the white haired Uncle Toms in the flesh that Stowe Towaship has wasted upon them in fiction? And if that township takes thought of its own action, must it not conclude that Simon Legree is not a sectional creature? If some of the Stowe Township people look into the mirror might there not come back to mine the hard and cruel features of Simon? And will they or will they not realize that there are other instruments of torture more heartless even than Simon's whip?

PHILA. PA. PUBLIC LEDGER
OCTOBER 11, 1923

PROTECT NEGROES FROM VIGILANTES

Deputy Sheriff and Detectives Go to Stowe Township After Threat by Committee

300 ALREADY HAVE FLED

Special Telegram to Public Ledger

Pittsburgh, Oct. 10.—Every available deputy Sheriff and county detective has been ordered to Stowe Township to protect the lives and properties of the Negroes who refused to heed the orders of the self-constituted Vigilance Committee instructing all Southern Negroes to leave the neighborhood immediately.

Threats of violence made by the committee are the result of two things, the importation by labor agents of large numbers of Southern Negroes and the murder on Saturday night of Thomas Rowland, seventy-five years old, and the assault, presumably by a Negro, on Rowland's eleven-year-old granddaughter, Edith Coulter.

To avert further occurrences of this sort and to show their resentment of the importation of the Negro labor, the Vigilance Committee was immediately formed and a notice posted commanding the Negroes to leave town today or suffer the penalty of attack on person and property.

In the gray light of early morning today, the wooden shacks and hovels in the hollows of Stowe Township stirred with activity. By the middle of forenoon the township had disgorged 300 of its total Negro population. Those who remained had already sought legal aid and this afternoon a conference was held in the office of the District Attorney between city and county representatives and a delegation of lawyers representing the Negroes.

The Vigilance Committee in its demands explained that they were not opposed to the Negro residents of the township and denied that their move had been motivated by race prejudice. Their actions, they said, were directed exclusively against law-breaking Negroes and those imported from the South in the last few weeks.

Two houses occupied by Negroes who refused to leave the township were stoned this morning. No casualties were reported, although every window in the buildings was broken.

The District Attorney received a report this afternoon that Mrs. Dora Greenstein, seventy-two years old, of 55 Fleming avenue, Stowe Township, had been threatened by a mob because she refused to eject Negroes who live in houses she owns.

When the Vigilance Committee gave no indication of abating its attacks, police regulation of the neighborhood was ordered.

Boston, Oct. 10.—The National Equal Rights League, a Negro organization, with headquarters here, sent a telegram tonight to Governor Pinchot, of Pennsylvania, urging him to intervene on behalf of Negro residents of Stowe County, reported to have been driven from their homes by a Vigilance Committee. The Governor was asked to call on the county authorities to notify the Negroes that they might return and to guarantee them protection.

Riots—1923. Pennsylvania.

Pittsburgh Courier

Johnstown Offers South Propaganda

THE Atlanta Constitution, under date of September 16, carried a telegram from President J. S. Wannamaker, of the American Cotton Association, to the governor of Pennsylvania, touching the recent edict of the Johnstown mayor who ordered Negroes and Mexicans out of town. The telegram serves a dual purpose for the South. It ought to be of value to the North. Pittsburgh Courier 9-29-23

In the first place, the telegram shows the North that it is not the custom nor practice of the South to order all Negroes of a given community to leave the state because one or two Negroes violate the law. This is very significant, coming from the section of the country where lawlessness is supposed to have had its birth. The telegram follows:

We note the attitude of white citizens and the municipality of Johnstown, Pa., toward the Negro race as shown in press statements. All law-abiding, industrious Negroes are welcomed anywhere in the South and will be given immediate employment in cotton fields and on farms where their services are badly needed. The South does not approve of the legal or illegal holding of a community of Negroes responsible for unlawful acts of an individual Negro as appears to be the case at Johnstown. Race hatred and race riots in the South have been rare and of extremely limited and isolated instances since emancipation. There is no recorded instances in the South of legally attempting to disband and drive out a community of Negroes engaged in lawful and industrial pursuits of life. The two races have lived in peace and harmony where the laws are respected and industry pursued.

In the second place, the telegram reminds the North that the South is bidding for Negro labor. President Wannamaker makes it very plain in his message that Negro labor is very badly needed in the cotton fields of the South, and elsewhere on the farms. It ought to be remembered that the South has never worked at hard labor in its whole life. The South does not propose now to begin soiling its hands, if the Negro can be induced to follow the plow, pick the cotton and fight the growing grass in the fields.

The Johnstown incident has served the South in excellent stead. Negroes are reading in newspapers that the South is offering plenty of work, better treatment and a welcome to return, with no promises of punishment for their temporary straying into "strange lands." Of course, a few Negroes will return to the South—a very few. But the Johnstown incident has furnished the South with excellent material for argument, and to say that the South is using the "advice of the Johnstown mayor" as convenient propaganda is putting it mildly.

The only answer the North can give is an instant repudiation of the Mayor of Johnstown and his ilk. Some definite action must be taken to place the Johnstown incident among the "extreme exceptions" to be found in any community. The election on the 18th instant, when the Mayor of Johnstown was defeated at the polls by the citizens of the town, indicates that the man stands alone in his radical attitude; and not only does he stand alone, but his action is repudiated by the vote of the people.

One Johnstowner will not serve to drive all Negroes back to the South. One swallow does not make a summer. But the telegram of President Wannamaker is information to the world that there is lively bidding for Negro labor. May the laborer go to **the highest and best bidder.** And all the while the bidders cry, the Negro should devote himself to sober thought.

Johnstown Repudiates Mayor

Pittsburgh Courier

A FEW days ago, a mayor of an American city took it upon himself to order certain citizens out of the city. The mayor referred to is Cauffiel, of Johnstown, Pennsylvania. He ordered all Negroes who had come to the city within the past seven years to leave town. His excuse for his unlawful order was that some Negroes had killed two police officers. His action was heralded all over the country as something new and radical. The people waited to see the final results. It has come. Pittsburgh, Pa.

On Tuesday of this week an election was held in Johnstown, as well as in all other Pennsylvania districts. This Czar-like mayor was a candidate to succeed himself in office. He was running on his record, and his declarations to the people included some of his radical views. The voters defeated him decisively, and he awakes to find that he is not any longer a mayor of any town, and the Negroes and Mexicans whom he ordered out of the city are living quietly in Johnstown, free from the attacks of a demented mayor. 9-22-23

These sudden uprisings are to be expected from time to time. They represent the lack of Americanism in our great country, and their appearances here and there but serve notice upon the people that we have not yet digested all the elements within our borders.

The mayor of Johnstown is no more. The people have disposed of him, and the little town of flood fame is operating under a normal pulse once more.

THE MAYOR OF JOHNSTOWN.

Washington Evening Star

North or South, the tendency to regard the man of color as less than an American citizen, prevails. When the mayor of Johnstown issued a drastic order to evict all persons of color who had been in the city less than seven years, he made a wholesale indictment against them, that fell by its own folly. Washington, D.C.

Industrial competition is always a kind of war, and when it is complicated by race prejudice, it produces a situation calling for discretion as well as valor and defiance. 9-22-23.

Unemployed men of any race are prone to cause disturbances to the public peace, but there should be and usually are brains enough among the business men and civic workers of any community to avert disorder. It seems to us that older residents of a city to which there is an influx of migrants, should organize to incorporate the newcomers and to protect themselves from being swamped by them.

If the older residents of a city were as keen to their civic duty towards the newcomers as they are in exploiting them by high rents and opportunities to quickly lose their wages, all cities would grow more rapidly, permanently and peacefully.

We ask the mayor of Johnstown to show us his record in behalf of or in protection of the new citizens of color during the past seven years.

Many a father has ordered a wayward son from the folds of a house which was the direct cause of the son's mistakes. Something like that is the case in Johnstown and in every other city where colored people have migrated in the past seven years.

Every American citizen is his brother's keeper. That is just what America stands for.

Mr. Mayor, you were hasty, to say the least; indeed, in error. Try again.

NEGROES LEAVE TOWN AFTER VIGILANTES WARN THEM

Washington Eagle Washington D.C.

Pittsburgh, Oct. 10.—One hundred Negroes left their homes in Stowe township today, following a warning issued by a vigilance committee that they must get out within 24 hours.

The vigilance committee, composed of 500 young men, visited the Negro homes in the township last night. Their order to the Negroes to leave the district came as a result of the murder of Thomas Rowland, 75 years old, and an attempted attack on his 11-year-old granddaughter, Edith, last Saturday night. 10-13-23

The Negroes known to have left the township came here recently from the South. During the night doors and windows of Negro dwellings were broken by bricks and stones hurled by unidentified persons.

The assailant of the aged man and his granddaughter was said to be a Negro.

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The Negroes known to have left the township came here recently from the South. During the night doors and windows of Negro dwellings were broken by bricks and stones hurled by unidentified persons.

The assailant of the aged man and his granddaughter was said to be a Negro.

Auction Records Louisville Ky. 11-27-23

Lo, the Poor Son of Ham! Does Nobody Want Him?

Of the tens of thousands of Negroes who have been flocking North in recent years, Johnston, Pennsylvania, got more than 2,000. One or two whites there were killed in trying to keep the blacks straight. Whereupon the whole white population became greatly incensed against the Negroes. The Mayor, fearing wholesale killings, issued an order requiring all Negroes resident in Johnston less than seven years to leave. They left.

Down in Georgia, Judge Fortson is quoted as exclaiming: "It is the first pale rays ofthe dawn of a better day!" concerning the Negro exodus. "Lo, the poor Negro," comments the Anderson Daily Mail, of South Carolina. "No one seems to want him. Not only in Pennsylvania but in other Northern States, the Negro is not wanted."

Slavery was a curse upon the South. Both whites and blacks suffered from it—the whites the most. The Negro is under no obligation to thank the white man for enslaving his wild ancestars from Africa, but he is under constant obligation to thank God for the rich blessings into which He led the sons of Ham through their bondage, to the highest class of whites in the world. The Negro has not been a curse but a blessing to the Southern white. We are willing to defend that thesis with argument, if need be. If he had done nothing for the South but keep out the non-assimilable immigrant masses that now jeopardize Americanism in the North, he has rendered a service of incalculable value to the South.

Our counsel to our black friends is to advise their people to stay in the South. It was Booker Washington's advice, and it isthe steady counsel of the best and most respected leaders of the Negroes.

We do not agree with Judge Fortson. Perhaps his colored cook had given him indigestion by a poorly cooked breakfast, but he probably got over his "feelings" the next day. The Southern white man understands and sympathizes with and appreciates the black people as no other white man ever has done or ever will do. We wish every Negro Baptist preacher in the South might raise his voice against this migration to the North. Granting that some of it was desirable, we have now had as much of it as is good either for the Southern whites or the blacks, North and South.

By the way, the Northern philanthropist who built institutions down South to help the Negro did good service, except in the few cases where he foolishly thought he could settle for the South "the race problem." We are wondering if he is going to live up to his comfortable long-distance feeling of "saving the neglected" now that the black people are crowding into his own home-city. The cold fact is that the Northern philanthropist has not turned his hand to help the Negro through educational and other institutions now that the Negro has come close to him. At that we have no purpose to be sensorious. Southern Christians have essentially the same strange love for the far-off that absolutely balks at the non-romantic, non-aesthetic need in the next block.

V. I. M.

Desperate Living Conditions of Southern Negroes in Johnstown, Pa.

The action of the mayor of Johnstown, Pa., in practically ordering from that city all negroes who had not been living there as much as seven years, has created a storm of protest throughout the country against such high-handed proceedings. However illegal may have been the mayor's action, the situation was certainly a very desperate one so far as regards the actual living conditions of the negroes who had been drawn to Johnstown for employment in the industrial enterprises of that community.

We do not know who is responsible for bringing these thousands of negroes to Johnstown, but somebody deserves the severest condemnation for permitting the conditions under which these negroes lived if they were as bad as reported by the mayor of the city, and by Professor Miller, of Howard university, at Washington. In some places to which negroes from the south have gone, and we believe this is pre-eminently true in Baltimore, they have not been subjected to any such conditions as reported from Johnstown.

Professor Kelly Miller, dean of the junior college of Howard university, Washington, D. C., in a letter to The Philadelphia Ledger gives an appalling account of the conditions he found in the negro section of Johnstown. In the course of his letter he said:

"I was in Johnstown last spring and was amazed at the lamentable condition of the negro laborers in that smoky hollow. The town, to use the language of Julius Caesar, is hemmed in by the nature of the place.

"I have visited all types and kinds of communities in which negroes live in all parts of the United States. I have seen them in allays and shady places; I have witnessed their poverty and distress in city and country. But I can truthfully say that it has never been my good fortune or misfortune to look upon such pitiable conditions as prevailed in Johnstown.

"Only two colored families, I was told, owned their homes. This was not due so much to the indolence of the people as to the impossibility of purchasing homes under existing limitations and restrictions. There were two negro churches, with a combined seating capacity of fewer than 800 for a negro population of 4,000 or 5,000 souls. There was no place of amusement or healthy recreation.

"The population consisted largely of raw recruits from the south without the wholesome influence of home, church or social agency. The men lived largely in stockades, where dampness, dirt and disease were their constant companions. I visited a stockade with 100 inmates. There were no modern sanitary provisions. The sheets and pillow cases, judging from appearance, had not been changed for six months. Smoke and dirt and grease had accumulated upon the floor half an inch thick. My soul sank within me as I saw splendid specimens of physical young manhood fresh from the open air of the south, immersed in this dreadful environment, destructive alike to body and soul.

"I visited a shanty in one of the remote hollows with four rooms and 37 inmates. There was a single lamp without chimney, whose dense smoke stifled the air. I was driven through the red-light district, which was too loathsome to attempt to describe. Dirt and dampness brooded over the place and made it pregnant with disease and death. Pneumonia took its daily toll. Human life is simply impossible in such an environment as this.

"Under such circumstances only two modes of pastime are predicable: immorality and gambling. These men were all employed in the mills at remunerative wages. The surplus left from the exactions of the boarding house keepers and stockade tax was spent in carousing and gambling. When a set of men gamble among themselves, one man's' loss is supposed to be another man's gain. But in Johnstown all the men are broke and no one seems any better off after the game is over.

"There must have been somewhere a hidden master hand. The faults of manifestation were not in these men, but in their environment. Who of my readers would be strong enough to survive such immurement as this? The test is too great for frail human nature.

"These young fellows had in them the raw material of respectable and useful manhood. My heart went out in compassion for them. I at once wrote Eugene Kinckle Jones, executive secretary of the Urban league, advising him to make an investigation of this field with a view of establishing a branch in this afflicted spot. I regret that the financial status of the organization did not justify the venture at that time.

"I was prepared at any moment to hear of some dreadful happening in Johnstown. The fault of the situation and the responsibility therefor rests upon the shoulders of the controlling citizens of the community who allow their fellowmen to live on such a degraded level of existence. The outbreak in any mode of crime, though appalling, is but the logical outcome of a degraded environment.

"The vindictive mayor of Johnstown is breathing out vengeance upon the whole racial contingent because of the criminal outbreak of a few. He would better serve his city, state and nation by remedying the environment which breeds the criminal rather than himself becoming a greater criminal by violating every law of God and man."

Negroes Ordered To Leave Homes or Institution Near Pittsburg

10-11-23

County Detectives Patrol Stowe Township to Foil Local "Vigilantes."

Pittsburg, Pa., October 10.—Robert H. Braun, chief of Alleghany county detectives, and a squad of operatives, were tonight patrolling Stowe township prepared to meet any emergency that might arise in consequence of the action of a self-appointed "vigilance committee" in ordering negroes from the district.

R. L. Vann, a negro attorney, today protested to Chief Braun against the action of the "vigilance committee" and was given assurance that all law-abiding negroes of the district would be protected.

No estimates were available as to the number of negroes had left, but W. J. Duff, chief of the township police, reported that practically all those warned to leave departed during the day. The negroes who left were known as "new comers," most of whom were employed in steel mills.

The situation arose in Stowe township after the killing Saturday night of Thomas Rowland, 73, and the wounding of his 11-year-old granddaughter by a negro who escaped.

DEPORTED NEGROES BACK, UNDER POLICE PROTECTION

Pittsburgh, Pa., Oct. 11.—(A. P.) A number of Negroes, including women and children, who left Stowe township yesterday after hayw been ordered to "get out" by a self-appointed vigilance committee, returned to their homes today under the protection of special officers. The special patrolmen were sworn in last night by William Duffy, chief of the Township Police Department, and were assigned to patrol districts in which Negroes reside.

BULLETIN

Chief of County Detectives Robert H. Braun, when asked by a representative of The Pittsburgh Courier as to what he was going to do about the Stowe township affair, said:

"I have ordered my men to Stowe township to investigate, first, the part, if any, the officers of the community had in the infamous "order" and to ascertain what action they propose taking in protecting citizens of the commonwealth in their constitutional rights.

"I would suggest that the law-abiding Colored people pay no attention whatever to any such orders as are alleged to have been given by self-appointed guardians of the community's peace. The full power of the law of this county will be used to protect all citizens from violence. There is a proper way to apprehend any one charged with crime without molesting and intimidating law-abiding citizens."

Riots - - 1923.

Pennsylvania.

SELMA, ALA.
SEP 27 1923

Northern Outrages Against Negroes

Mr. Wannamaker, president of the American Cotton Association, is not disposed to sit supinely by while Northern cities and ruthless officials subject the newly arrived negro migrants to oppressions and outrages and he has made the offer that the association of which he is the head will pay the fee for legal protection for any negro at Johnstown, Pa., or at South Bend, Ind. who may be landed in court because of campaigns of persecution designed to drive the colored brother from those communities. Those negroes who take advantage of Mr. Wannamaker's offer are not obligated in any way to return South or to make any sort of requital for the service that is extended.

Since the issuance of the brutal proclamation by the Mayor of Johnstown that unemployed negroes would be given 24 hours in which to "move on," it is reported that 2,000 negroes have "footed it" out of that city and at South Bend where the receipt of anonymous letters have terrorized the negroes, 1,500 of them have quit their jobs and moved to other fields. The wholesale banishment of these negroes from their new homes, is without a parallel in the whole history of the relations of the races in this country and it throws some glaring light on the true mental attitude of a certain element of Northerners toward the negro and his troubles. The Northern white employer has no use for the negro except to exploit him either politically or commercially, while in the South, where the negro sometimes feels that he is denied "a square deal," he at the same time knows that he can live in amity and friendship with the white people, who understand him and know his good qualities and where ample opportunities to make a livelihood and to attain happiness abound. It is hoped that this last adventure of the negro into Northern communities will imbue him with the conviction that his proper environment is in the South and that he can meet and solve life's problems here better than in any other section of the country. He will probably begin the return journey to Dixie in large numbers before the snow begins to fly.

IS THIS WITHIN THE LAW?

A news dispatch from Johnstown, Pa., last week stated that more than 2,000 Negroes had left that city since Mayor Joseph Cauffiel declared that only Negroes resident in that city for seven years would be allowed to remain.

The reason assigned for this sentence of exile, without trial, was the killing of two policemen and the wounding of four others by a Negro, who had quarreled with his wife. The Mayor stated that he feared an outbreak, unless he acted promptly and this sentence of exile for so-called newcomers was the result. The mention of a "dozen flaming crosses" on the hilltop around the city figured in the Mayor's statement and seemed to suggest that he was actuated by the Ku Klux Klan in his proclamation of banishment.

9-22-23

Now, a decree of exile used to be a favorite device exercised by dictators in some of the South American countries to get rid of obnoxious citizens or foreigners, but we did not know that it was recognized as a legal punishment or procedure under the laws of any State in the Union.

It would seem to be in order for Governor Pinchot to investigate the actions of this Johnstown mayor and determine whether he has acted within the limits of the law. It does not seem right that a Negro resident who may own property in Johnstown and yet have been a citizen of that place for six years or less, should be exiled in this summary fashion.

Pennsylvania has a criminal code providing for the legal trial and punishment of those charged with murder or manslaughter, which should be invoked to cover the alleged killing of the policemen. The wholesale exile of Negro residents because of that killing seems unwarranted on any theory of law.

SEP 2 - 1923

THE NEGRO IN THE NORTH.

Negroes by the thousands have left the Southern States in recent months under the lure of higher wages at the centers of industry in the North and the delusion that they would be received with open arms by the white men who have defended them so arduously at long distance through the medium of a Republican press. Some of them have now learned that the antipathy to the negro on a basis of social equality is a racial instinct and not confined to that section where their former condition of servitude can yet be remembered by living men. They have not been received with effusion in the North, and while a few of them have secured jobs at higher wages than they could have expected to command on Southern farms, their living conditions are if anything worse and the cost of living higher.

That the negro is not welcome in the North has been demonstrated at Johnstown, Pa., where a wholesale deportation has been ordered by the civil authorities. No such thing as this has ever occurred in any Southern State. Negroes have never been driven away bodily from any community. The generosity of his white neighbors can always be counted upon in a pinch. Riots in the South have always been for cause, and they were of short duration and resulted in little bloodshed. The Southern white man has been the consistent friend of the negro. The differences between the races have usually been engendered by outside meddling.

The friendship of the Southern white man for the negro has been proven by the action of the American Cotton Association, which has offered to pay the fee for legal protection for any negro at Johnstown who may be haled before the courts on charges growing out of the present trouble there. The association has also offered to furnish transportation to any point in the South that may be selected to any negro at Johnstown who wants to return to the South, and to guarantee him work at the end of his journey. Negroes facing trial at Johnstown may take advantage of the offer of legal service without any obligation on their part to return to the South unless they want to. Of course the cotton association hopes that this offer will induce a considerable number of negroes to return to Southern farms, where their services are badly needed, but that does not detract from the fact that this great association has hurried to the defense of the negro when he is being persecuted and ill-treated by the Northern white man, who has no use for him other than to command his vote for a Republican candidate in National elections.

Herein lies a lesson that the negro might well take to heart. The Northern white man has no use for the negro except to exploit him either politically or commercially, while in the South the negro lives in amity and friendship with a race of white people who understand him, who appreciate his good qualities, and who offer him ample opportunity to sustain life and attain happiness. The dissatisfaction of the negro with his condition in the South is due to the fact that he is being constantly told how the white people ought to treat him by other white people who themselves have no idea of accepting the responsibility of following their own very foolish advice. It is to be hoped that this last adventure of the negro will have satisfied him that his proper environment is in the South, and that he is better off here than elsewhere. He probably will be coming back home before the snow begins to fly.

10-1-23

TREATMENT OF NEGROES IS JOHNSTOWN'S SHAME

Public Ledger

Thousands Living in Hovels Easy Victims of Crime or Disease

To the Editor of the Public Ledger:

Sir—I was in Johnstown last spring and was amazed at the lamentable condition of the Negro laborers in that smoky hollow. The town, to use the language of Julius Caesar, is hemmed in by the nature of the place.

I have visited all types and kinds of communities in which Negroes live in all parts of the United States. I have seen them in alleys and shade places; I have witnessed their poverty and distress in city and country. But I can truthfully say that it has never been my good fortune or misfortune to look upon such pitiable conditions as prevailed in Johnstown.

Only two colored families, I was told, owned their homes. This was not due so much to the indolence of the people as the impossibility of purchasing homes under existing limitations and restrictions. There were two Negro churches, with a combined seating capacity of fewer than 800 for a Negro population of 4000 or 5000 souls. There was no place of amusement or recreation. The population consisted largely of raw dreadful environment, destructive alike to body and soul.

I visited a shanty in one of the remote hollows with four rooms and thirty-seven inmates. There was a single lamp without chimney, whose dense smoke stifled the air. The shack was driven through the red-light district, which was too loathsome to attempt to describe. Dirt and dampness brooded over the place and made it pregnant with disease and death. Pneumonia took its daily toll. Under such circumstances only two modes of pastime are predicable: immorality and gambling. These men were all employed in the Human life is simply impossible in such an environment as this.

constant companions. I visited a stockade and not even a toilet was provided. The sheets and pillow-cases, judging from appearance, had not been changed for six months. Smoke and grease had accumulated upon the walls of the dirt floor half an inch thick. My soul sank within me as I saw splendid specimens of manhood, fresh from the open air of the South, immersed in this

Pennsylvania.

Riots - 1923.

SELMA, ALA. Journal
SEP 27 1923

9-22-23

Northern Outrages Against Negroes

Mr. Wannamaker, president of the American Cotton Association, is not disposed to sit supinely by while Northern cities and ruthless officials subject the newly arrived negro migrants to oppressions and outrages and he has made the offer that the association of which he is the head will pay the fee for legal protection for any negro at Johnstown, Pa., or at South Bend, Ind. who may be landed in court because of campaigns of persecution designed to drive the colored brother from those communities. Those negroes who take advantage of Mr. Wannamaker's offer are not obligated in any way to return South or to make any sort of requital for the service that is extended.

Since the issuance of the brutal proclamation by the Mayor of Johnstown that unemployed negroes would be given 24 hours in which to "move on," it is reported that 2,000 negroes have "footed it" out of that city and at South Bend where the receipt of anonymous letters have terrorized the negroes, 1,500 of them have quit their jobs and moved to other fields. The wholesale banishment of these negroes from their new homes, is without a parallel in the whole history of the relations of the races in this country and it throws some glaring light on the true mental attitude of a certain element of Northerners toward the negro and his troubles. The Northern white employer has no use for the negro except to exploit him either politically or commercially, while in the South, where the negro sometimes feels that he is denied "a square deal," he at the same time knows that he can live in amity and friendship with the white people, who understand him and know his good qualities and where ample opportunities to make a livelihood and to attain happiness abound. It is hoped that this last adventure of the negro into Northern communities will imbue him with the conviction that his proper environment is in the South and that he can meet and solve life's problems here better than in any other section of the country. He will probably begin the return journey to Dixie in large numbers before the snow begins to fly.

IS THIS WITHIN THE LAW?

A news dispatch from Johnstown, Pa., last week stated that more than 2,000 Negroes had left that city since Mayor Joseph Cauffiel declared that only Negroes resident in that city for seven years would be allowed to remain.

The reason assigned for this sentence of exile, without trial, was the killing of two policemen and the wounding of four others by a Negro, who had quarreled with his wife. The Mayor stated that he feared an outbreak, unless he acted promptly and this sentence of exile for so-called newcomers was the result. The mention of a "dozen flaming crosses" on the hilltop around the city figured in the Mayor's statement and seemed to suggest that he was actuated by the Ku Klux Klan in his proclamation of banishment.

Now, a decree of exile used to be a favorite device exercised by dictators in some of the South American countries to get rid of obnoxious citizens or foreigners, but we did not know that it was recognized as a legal punishment or procedure under the laws of any State in the Union.

It would seem to be in order for Governor Pinchot to investigate the actions of this Johnstown mayor and determine whether he has acted within the limits of the law. It does not seem right that a Negro resident who may own property in Johnstown and yet have been a citizen of that place for six years or less, should be exiled in this summary fashion.

Pennsylvania has a criminal code providing for the legal trial and punishment of those charged with murder or manslaughter, which should be invoked to cover the alleged killing of the policemen. The wholesale exile of Negro residents because of that killing seems unwarranted on any theory of law.

SEP

THE NEGRO IN THE NORTH.

Negroes by the thousands have left the Southern States in recent months under the lure of higher wages at the centers of industry in the North and the delusion that they would be received with open arms by the white men who have defended them so arduously at long distance through the medium of a Republican press. Some of them have now learned that the antipathy to the negro on a basis of social equality is a racial instinct and not confined to that section where their former condition of servitude can yet be remembered by living men. They have not been received with effusion in the North, and while a few of them have secured jobs at higher wages than they could have expected to command on Southern farms, their living conditions are if anything worse and the cost of living higher.

That the negro is not welcome in the North has been demonstrated at Johnstown, Pa., where a wholesale deportation has been ordered by the civil authorities. No such thing as this has ever occurred in any Southern State. Negroes have never been driven away bodily from any community. The generosity of his white neighbors can always be counted upon in a pinch. Riots in the South have always been for cause, and they were of short duration and resulted in little bloodshed. The Southern white man has been the consistent friend of the negro. The differences between the races have usually been engendered by outside meddling.

The friendship of the Southern white man for the negro has been proven by the action of the American Cotton Association, which has offered to pay the fee for legal protection for any negro at Johnstown who may be haled before the courts on charges growing out of the present trouble there. The association has also offered to furnish transportation to any point in the South that may be selected to any negro at Johnstown who wants to return to the South, and to guarantee him work at the end of his journey. Negroes facing trial at Johnstown may take advantage of the offer of legal service without any obligation on their part to return to the South unless they want to. Of course the cotton association hopes that this offer will induce a considerable number of negroes to return to Southern farms, where their services are badly needed, but that does not detract from the fact that this great association has hurried to the defense of the negro when he is being persecuted and ill-treated by the Northern white man, who has no use for him other than to command his vote for a Republican candidate in National elections.

Herein lies a lesson that the negro might well take to heart. The Northern white man has no use for the negro except to exploit him either politically or commercially, while in the South the negro lives in amity and friendship with a race of white people who understand him, who appreciate his good qualities, and who offer him ample opportunity to sustain life and attain happiness. The dissatisfaction of the negro with his condition in the South is due to the fact that he is being constantly told how the white people ought to treat him by other white people who themselves have no idea of accepting the responsibility of following their own very foolish advice. It is to be hoped that this last adventure of the negro will have satisfied him that his proper environment is in the South, and that he is better off here than elsewhere. He probably will be coming back home before the snow begins to fly.

TREATMENT OF NEGROES IS JOHNSTOWN'S SHAME

Thousands Living in Hovels Easy Victims of Crime or Disease

To the Editor of the Public Ledger:

Sir—I was in Johnstown last spring and was amazed at the lamentable condition of the Negro laborers in that smoky hollow. The town, to use the language of Julius Caesar, is hemmed in by the nature of the place.

I have visited all types and kinds of communities in which Negroes live in all parts of the United States. I have seen recreation. The population consisted largely of them in alleys and shade places; I have witnessed their poverty and distress in city recruits from the South without the whole- or social hollows with four rooms and thirty-seven and country. But I can truthfully say some influence of home, church or so- that it has never been my good fortune or agency. The men lived largely in stockades, inmates. There was a single lamp without misfortune to look upon such pitiable con- where dampness, dirt and disease were their chimney, whose dense smoke stifled the air. constant companions. I visited a stockade I was driven through the red-light district, which was too loathsome to attempt to describe. Dirt and dampness brooded over modern scribe. Dirt and dampness brooded over and pillow and made it pregnant with disease had not the place and made it pregnant with disease and death. Pneumonia took its daily toll. Smoke and and death. Pneumonia took its daily toll. upon the Human life is simply impossible in such an soul sank environment as this.

ditions as prevailed in Johnstown.

Only two colored families, I was told, with 100 inmates. There were no mo- owned their homes. This was not due so sanitary provisions. The sheets and p- much to the indolence of the people as to cases, judging from appearance, had the impossibility of purchasing homes under been changed for six months. Smoke existing limitations and restrictions. There dirt and grease had accumulated upo- were two Negro churches, with a combined floor half an inch thick. My soul seating capacity of fewer than 800 for a within me as I saw splendid specime- Negro population of 4000 or 5000 souls. physical young manhood, fresh from There was no place of amusement or healthy open air of the South, immersed in

The N. Y. Age
Public Ledger

in the mills at remunerative wages. The surplus left from the exactions of the boarding-house keepers and stockade tax was spent in carousing and gambling. When a set of men gamble among themselves, one man's loss is supposed to be another man's gain. But in Johnstown all the men are broke and no one seems any better off after the game is over.

There must have been somewhere a hidden master hand. The faults of manifestation were not in these men, but in their environment. Who of my readers would be strong enough to survive such inurement as this? The test is too great for frail human nature.

These young fellows had in them the raw material of respectable and useful manhood. My heart went out in compassion for them. I at once wrote Mr. Eugene Kinckle Jones, executive secretary of the Urban League, advising him to make an investigation of this field with a view of establishing a branch in this afflicted spot. I regret that the financial status of the organization did not justify the venture at that time.

I was prepared at any moment to hear of some dreadful happening in Johnstown. The fault of the situation and the responsibility therefor rest upon the shoulders of the controlling citizens of the community who allow their fellow man to live on such a degraded level of existence. The outbreak in any mode of crime, though appalling, is but the logical outcome of a degraded environment.

The vindictive Mayor of Johnstown is breathing out vengeance upon the whole racial contingent because of the criminal outbreak of a few. He would better serve his city, State and Nation by remedying the environment which breeds the criminal rather than himself becoming a greater criminal by violating every law of God or man.

KELLY MILLER,
Dean Junior College, Howard University.
Washington, D. C., September 28, 1923.

MISTREATING OUR SOUTHERN NEGROES.

Montgomery Advertiser

The news dispatches inform us that the illegal order of the Mayor, 2,000 negroes and Mexicans left the town of Johnstown, Pa. They were part of a crowd of 8,000 laborers brought to Johnstown by the Cambria Steel Company. These unskilled laborers were herded in a sequestrated section of the city. 9-18-23

A riot took place in this quarter and two policemen were killed, and the captain of police, a popular official, was fatally wounded. The Mayor ordered all negroes and Mexicans who had come in the recent hegira from the South to leave town. Two thousand negroes did not stay upon the order of their going or seek to argue with the Mayor his constitutional right to issue such an order, but left at once. The Mayor said that he issued the order for the good of the negroes, that if the captain of police died there would be an uprising of the people in other sections of the city and the negro quarter would be wiped out. The leader of the Southern negro should tell him that going North involves something else than an increase in his wages.

ON DRIVING THE NEGRO OUT OF THE NORTH.

The Star of Zion

Recent uprisings against the Negro migrants in two cities of the north, namely, South Bend, Indiana, and Johnstown, Pa., have occasioned comment variously. Southern papers, desirous to discourge others from going in the wake of their brothers, have pointed out these incidents as proof of the perils awaiting them in northern communities and as arguing the unsympathetic attitude of the northern whites towards colored people.

Charlotte N. C.

As a matter of fact, it is nothing more than was to be expected. There have been 356,956 Negroes rushed into the north since December first. It was impossible for them to become at once assimilated without some checks or friction. They have over-taxed the housing capacity and have themselves huddled into quarters too close for health, good morals and safe government. The out-break in South Bend was from a cause originating in such a condition. The disorder occasioned by Negroes and the police officers resulted in one policeman being killed a Negro woman being assaulted by policemene and few street beatings of persons of color, which threatened a race riot.

In Johnstown a similar incident resulted in the killing of two policemen by some Negroes. We note the contrast of the two cities in dealing with similar cases. In South Bend, the newspapers at once cautioned fairness and good sense in dealing with the Negroes, and contrary to the rumors of the press, which stated that two thousand Negroes left South Bend, only a few floaters left the city which did not number more than a hundred or so. It was easy for them to go because there was no housing accommodation. The good citizens allayed the threatening storm. A sample of the advice that accomplished this peaceable solution is the following extract from an editorial in the South Bend Tribune: 9-27-23

"If these new Negroes were to be needed only a little while, the situation would be an emergency and self-adjusting. Assuming that South Bend is to continue to grow and prosper, good jobs at heavy labor will be plentiful and these or other Negroes in large numbers will be regular residents of the city. Therefore the people ought to take cognizance of them to the extent of inquiring if something can be done about housing them suitably and preventing the evil social conditions which induce crime and violence."

"The danger lies in ignoring the situation while it grows worse and then meeting outbreaks of crime with mass violence, which is the most unintelligent way. Industrial heads who need most the supply of Negro labor should be willing to join a conference on the subject of housing."

To the industries the inclusion of the Negroes is an experiment; to him it is the realizat on of a century of dreams. The tolerance of one combined with the awakening of the other should render this labor permanent in the scheme of industry.

Negro labor is not inferior. Inured to the language of our country, to its customs, ideals, and traditions, it should have priority over d stinctively alien labor. The simon-purity of ts loyalty, its cheerfulness, and its availability weigh strongly in its favor. It asks only an opportunity to show its fine points. It is striving to catch up with acknowledged standards and when it catches up I pledge you that it will keep up."

But the method used by the governing group at Johnstown is too well known for comment. A hysterical mayor, blatant and greedy for a re-election, having engaged in former notorious defiance of the law of the nation by attempting to sell beer whether or no, flew into the public ear shouting that the Negroes must get out of town at once. He was at once foiled in his attempt by the governor and public influences and it is stated on the authority of the railroad that there was only the customary transportation of Negroes out of Johnstown for that time of the year. The only effect it had was that temporarily, labor agencies ceased to import new people of color into Johnstown.

This mayor in the midst of his mouthings, was given one of the most obvious of public rebukes by his own fellow citizens by being defeated in the primaries for renomination. In a contest with seven men, he fell back to fifth place with all the machinery of the city government in his hands. It was a decisive repuise.

Those adjutators who would discourage Negro migration north, will be informed by the real facts that there is not the peril awaiting the blacks from the north which they would have us believe. Meanwhile, the colored people who go north are not the type that read newspapers to any large extent and are almost uninformed on these matters. Those who are intelligent enough to appreciate the propaganda also know that it is more propaganda than it is a condition to be feared. There will have to be other means if they would stay the tide of the exodus. Better wages, more equity in the distribution of the public taxes, justice in the courts, absence of humiliation on public carriages and a manifest good-will in creating sanitary and convenient conditions in Negro communities, protection by the officers of the law, the appointment of more colored men to help clear up the immoral government of the Negro districts and adding to these the building of less shacks and of more decent and comfortable homes for colored habitation will do more in one six months to calm this restlessness and curb immigration than all of the pretentious editorials and speech-making can ever do by a ~~many~~ thousand fold.

THE temperamental mayor of Johnstown, Pennsylvania, complains that while he was away his city got in a ferment. "I decided," he said, "that the only thing to do was to send these newcomers out of town and keep them out." These newcomers are Negroes, two thousand of whom have been forced out of town within the past week under Mayor Cauffiel's order that only Negroes who can show seven years' residence be allowed to remain in the city. This is the same mayor that brought nation-wide attention to Johnstown a year ago by his spectacular stand on the sale of beer. So far the Ku Klux Klan has been the only group to praise the mayor for "banning" Negroes purely on his own authority, unsupported by any statute of Pennsylvania or the United States." They burned twelve fiery crosses on the hilltops surrounding Johnstown in celebration, apparently not at all concerned by the fact that this thing of disregarding the law may, in the hands of a Governor Walton, prove to their disadvantage.

Riots—1923.

Pennsylvania.

CHIN BITTEN OFF IN RACE RIOT

PHILADELPHIA, Pa., Aug. 11.—During a race riot Sunday in South Philadelphia, Stanley Mitchell, white 25, had his chin just about bitten off by James Bolder. Many people of the affected district are nursing hurts received in the riot. The riot grew out of petty quarrels which have been going on between the two races for more than two weeks.

Italians and Colored People Have Riot In Philadelphia

PHILADELPHIA, Aug. 16.—Three persons are critically injured, two others slightly wounded and scores nursing hurts in their homes as the result of race riots between Italians and Negroes here Sunday. Today the feeling continues high, and heavy details of police are guarding the affected area in South Philadelphia.

The trouble is the culmination of two weeks of petty quarrels.

Stanley Mitchell, aged 25, had his chin almost bitten off by a Negro, James Bolder, colored, was arraigned today charged with inciting to riot and carrying concealed weapons. Two other colored men who were with him at the time he was arrested narrowly escaped lynching.

POLICE ARREST TWO WHO DEFEND SELVES FROM MOB

Philadelphia, Aug. 17.—During a race riot over in the Italian quarter Ernest Eckles and William Robinson were taken away from the police and beaten into unconsciousness. They are now in the Pennsylvania hospital, where they will remain some time. They are both under arrest for inciting to riot, yet they were only defending themselves.

The aftermath of the race riot was a renewal on Tuesday night when Joseph and Henry Kelly of 1320 S. Seventh St. were in the same neighborhood going home. They were attacked by 30 men and boys who pursued them several squares, all of the time throwing milk bottles, bricks, stones and other rubbish they could pick up while running, at them. Before the police could rescue them both young fellows were badly beaten up and they are now receiving treatment at the Mt. Sinai hospital. No arrests were made.

SEPTEMBER 14, 1923

NEGROES FLEEING

JOHNSTOWN AFTER MAYOR'S DECREE

Only Those Who Have Been There Seven Years Can Remain, He Declares.

JOHNSTOWN, Pa., Sept. 14.—More than 2,000 Negroes have left Johnstown since Mayor Joseph Cauffiel declared a week ago that only Negroes resident in the city for seven years would be allowed to remain, said the Mayor to-day in outlining the reasons why he had taken action against them. More are going, he added, and it was his intention to see that no more were brought here from the South.

"We have been sitting on a bomb in this city," said Mayor Cauffiel, "and it almost exploded last week when two of our policemen were killed and four others so badly wounded that one of them has since died and two others are so dangerously hurt their deaths may be expected at any time. This was done by a Negro who had quarrelled with his wife.

"I was away, and when I came home and found the city in a ferment, I decided that the only thing to do was to send these newcomers out of town and keep them out. Resentment was running high. No less than a dozen flaming crosses were burned on the hilltops around the city and I feared an outbreak against the Negroes unless I acted promptly. I swore in a lot of extra policemen, arranged to have the State police come in on short notice and then began disarming Negroes."

The old Negro residents are "all right," said the Mayor, but many of the newcomers are "bad people," including ex-convicts. "I have no objection to the Negro because he is a Negro," the Mayor added, "but the situation was such that we had to act quickly."

SEP 29 1923

The Negro and the North

Johnstown, Sept. 14.—More than 2,000 negroes and Mexicans have left the city, a large number are in jail and others are preparing to get out following the issuance of orders by Mayor Joseph Cauffiel requiring all negroes and Mexicans who have not been residents of the city for seven years to leave at once, and laying down drastic disciplinary rules for those remaining here.

The exodus of imported labor, brought here originally by the Cambria plant of the Bethlehem Steel Corporation, and the Mayor's orders followed rioting August 31 in Rosedale, negro and Mexican colony, when three policemen were slain, two others shot and not expected to recover, and one negro killed.

This dispatch is from the Philadelphia Public Ledger, and follows quickly on the heels of warnings of the labor departments of northern states that there was no further room for negroes in industry there.

To those who are familiar with conditions in northern industrial cities, here is nothing surprising in the action of the Johnstown authorities.

Northern mills do not want negro labor except in times of emergency like last spring. Then they will take any kind of labor they can get, and they will send after it, and make all sorts of promises to get it.

There were thousands of negroes who left the south in the last nine months who dreamed of entering a Northern Utopia. Since the new fiscal year has brought an influx of Europeans many of the negroes have been thrown out of employment and find themselves in a strange country with a people who care nothing about their condition.

The mayor of Johnstown is taking a high-handed proceeding in ordering negroes out of the city, but his action will be supported by public opinion in that section because the families who look to the mills for employment see in the negro a menace to their prosperity.

With all his shortcomings the southern white man is the only friend the negro has in this country. There is no sympathy for the negro in the north.—Nashville Tennessean.

Penn City Mayor Orders Negroes to Beat it From Town

JOHNSTOWN, PA., Sept. 18—Mayor Joseph Cauffiel of Johnstown announced late tonight that he had replied by telegraph and special delivery letter to Gov. Pinchot's telegram requesting the reasons for the city executive's recent order that negroes who have resided here for less than seven years must leave.

Mayor Cauffiel refused to say what he told the governor, but reiterated his order that the negroes "must pack up and go."

Asked if he would modify his stand the mayor declared:

"No, I have nothing to apologize for, I will make no excuses to any one. I did what I saw was my duty and I will continue to order every negro who has not lived here seven years to to get out and stay out."

Prior to receipt of Governor Pinchot's telegram, Mayor Cauffiel had announced that the negroes who have not obeyed his order "better do so at once." "I'm the one that is responsible for law and order and I'm going to see that it's preserved here," he added. "All I've got to say now is:

"I want every negro who comes under my order and who hasn't taken warning to get out of Johnstown by this time to pack up and get out. I'm giving them fair warning. It's for their own good to get out."

The mayor's original order was issued after three city policemen were killed and another injured in a fight with a negro who, it was reported, was crazed by liquor. The negro was killed.

"I tell you I fear the worst if the fourth man dies," the mayor said.

The Johnstown Incident.

Any negroes in the south who may have any idea of heeding the call to the north are furnished rich food for thought in the events that have happened and are still happening in Johnstown, Pennsylvania. There the mayor has ordered all negroes not residents of the town for seven years or more to depart. This order also forbids any more negroes to enter the town. Besides, those allowed to remain are forbidden to hold any meetings or even to assemble anywhere except at church, and those visiting the city must register and report regularly to the mayor or chief of police.

All of these prohibitions against ordinary conduct and denials of guaranteed rights have been brought about because one drink-crazed negro killed three policemen and wounded three others. In defense of his move the mayor says the act of the one negro so inflamed sentiment that he feared a wholesale race riot, and, to avoid this, he ordered the negroes to leave. Such an act must be viewed as a remedy too drastic even for a dangerous situation. There surely should be ways of keeping the peace outside of denying the usual and ordinary rights of citizenship to a part of the citizens.

The incident serves to show once again the difference in feelings toward the negro that obtains in the north and in the south. Down here we are charged with lynching negroes who commit crimes, and the charge in too many cases is true. But even in our lawlessness we have some idea of justice. At least we do not punish innocent negroes for the crimes of the criminal members of their race. We do not condemn the whole race for the faults or offenses of an individual.

The Johnstown affair, therefore, is a matter the negroes of the country can think over with profit to themselves.

WILL NOT APPEAL TO NEGROES

The action of the Johnstown, Pa., Mayor in ordering certain negroes to leave that city, is not expected to make that city popular with negroes. In his order directing all negroes who had not been in the city seven years to leave, the Mayor stated that the city had too many negroes; that the race question was a serious one; and that no new negroes would be allowed to enter.

Such a situation is not surprising to people of the South who understand the negro. Southern people knew all along that the exodus of negroes to the North would bring serious results, for the negro does not understand northern people, and he is not understood there.

In a city in the West several days ago hundreds of negroes left after one of their race had received a warning to move on. The warning advised the negroes that they were not wanted; that the city in which they had stopped had no use or need for them, and that every one would be better off after some of the negroes had left. The negroes took the warning, and hundreds left.

The Johnstown case has aroused great public interest. The National Association for the Advancement of Colored People took a hand in the matter and appealed to Governor Pinchot, who asked the Mayor for an explanation. The Mayor, however, stuck to his guns and reiterated his warning after receiving the communication from Governor Pinchot.

Governor Pinchot is "politicing" now, so of course, he was only too glad to act. He saw a chance to get in favor with many negroes in his State, and as the negro vote in Pennsylvania is an important one, he was quick to seize this opportunity to please the colored people.

Incidents such as occurred in Johnstown and the western city referred to will have much influence on the negroes of the South. They should prove to the negro that the South is the place for him.

PINCHOT TAKES ACTION IN JOHNSTOWN OUSTER

He Assures Mexican Embassy Full Power of State Will Be Used to Safeguard Rights.

Special to The New York Times.

WASHINGTON, Sept. 20.—A telegram from Governor Pinchot of Pennsylvania, giving assurances that "the whole power of this commonwealth will be used if necessary to maintain constitutional rights," was received today at the Mexican Embassy, following the Embassy's note to the State Department calling attention to the order of the Mayor of Johnstown, Pa., for all Mexicans and negroes to leave the city. The Mexican note, it was said at the Department, had been forwarded to Governor Pinchot.

Governor Pinchot's note, which was forwarded through the Mexican Consul at Philadelphia, reads as follows:

"Your telegram received. On return to Milford wired Mayor Cauffiel asking him for full statement of facts and reason for action taken. The whole power of this commonwealth will be used if necessary to maintain constitutional rights."

JOHNTOWN, Pa., Sept. 20.—Although declaring that "about 2,000 negroes have gone within the last three weeks," Mayor Joseph Cauffiel denied that he issutd a formal order to deport all negroes not residents of the city for at least seven years. The Mayor insisted his statement in a newspaper interview which said, "For their own safety, I am ordering all newly arrived negro citizens to leave town," was not a formal order.

He had "advised" Mexicans to leave town, too, the Mayor said, because he feared they might be mistaken for negroes if the people of the city should "wreak vengeance" on the negroes for the killing of three police officers by a drink crazed negro recently.

Periodic searches are being made of negroes for weapons by the police and sale and display of firearms has been forbidden, the Mayor said, but police are not being used to compel negroes to quit Johnstown. Pennsylvania railroad officials declared the negro exodus is no greater than usual at this season and place the number who have left since Mayor Cauffiel's newspaper interview at not more than several hundred.

3,000 NEGRO REFUGEES IN JOHNSTOWN EXODUS

GOV. PINCHOT MAY ACT

"Imported Labor Is a Failure," Says the Mayor.

"MUST REMAIN IN SOUTH"

Accuses South of "Dumping Its Criminals" on City.

ORDERS BLACKS TO LEAVE

Gov. Pinchot May Move to Protect Negroes Driven From Pennsylvania City—Steel Plants Shut Down, Leaving Southern Labor in Hole—Other Towns Try to Send Negroes to Farms, But in Vain.

(Public Ledger-The Commercial Appeal Special.)

JOHNSTOWN, Pa., Sept. 15.—"I don't care what authority I have. For their own safety and for the safety of the Johnstown public, the negroes are going out of this city. Most of them are out now and the rest of them are going fast," Mayor Joseph Cauffield declared this afternoon when he was asked to answer protests of national societies for the advancement of colored people and organizations protecting constitutional rights, attacking his right to order all negroes out of Johnstown, except those resident here more than seven years.

"Imported labor is a failure," said the mayor this afternoon. "Bethleham Steel knows it now, and I've known it for some time. As mayor of this city I'm not going to stand idle and allow the south to dump its criminals and riff-raff into Johnstown. The negroes can stay where they belong. That's in the south. The old-time negroes in this city never gave us any trouble but the scum that has been brought here is not going to remain while I'm mayor. And I want all negroes not here yet to know that there's no use coming."

Receives Many Protests.

The mayor pulled open a drawer of his desk and displayed a scattered array of telegrams.

"See these," he said, "they are protests from all over the country, calling me a second 'czar of Russia,' a 'kaiser' and every other thing. They tell me I'm going to get into trouble. I don't care what they say. I wish some of them were to go into the holes of vice that have been set up right in this city and near it by hordes of imported negroes. Their colonies are lined with houses of prostitution, dives for the sale of moonshine and dope. That has to stop and the negroes responsible for it must leave the city. If the rest of them don't get out soon, I'll arm police and send them into the colonies to walk the negroes out of town at the point of a gun.

"If these negroes remain here, we could never stop the wave of crime this winter. The Cambria plant of the Bethlehem Steel Company is running slack. Men are being laid off and the thousands of negroes and Mexicans imported here are not needed and won't be needed for some time to come. What are thousands of idle negroes and Mexicans, stimulated by poison liquor and dope going to do in Johnstown this winter? Given the chance, they are going to steal, ravish and terrorize. I'm not the one who is going to give them the chance."

Pinchot May Act.

Whether or not the state government takes action on the edict issued by Mr. Cauffiel, mayor of Johnstown, ordering all negro and Mexican residents of his city to leave who have been there less than seven years, was a matter of speculation.

Officials were unable to say what action could be expected from the governor upon his return next week. However, they pointed out that there is nothing on the statute books of the state which could compel the well-behaving negroes and Mexicans to vacate Johnstown. Mayor Cauffiel's drastic order followed a negro outbreak in Rosedale, labor colony, in which County Detective John A. James and Special Officer Joseph Abrahams were killed, Captain of Police and Patrolman Grachan were probably fatally inured, Detective Otto Nukem suffered from wounds and shock, believed responsible for his death last Thursday, and two other policemen were inured.

Crazed by Dope.

A negro, Robert Young, crazed by dope and later killed in the pistol battle, led the negro forces against the police, drawn into a trap in a remote section of the colony. Young, it was learned on investigation, had purchased a large quantity of dope early in the evening of the pitched battle.

Mayor Cauffiel says he has not ordered the negroes out of town, but has "requsted" them to leave. The request was issued in drastic terms, however, and the exodus of 3,000 negroes started at once. In police court the mayor has backed up his request by sentencing every negro appearing before him, no matter how trivial the offense, $100 and costs, or 90 days in the county jail. Mexicans are treated in the same manner.

Importation of negro labor began in Johnstown several years ago when steel companies throughout the country were handicapped by labor shortages. Probably 5,000 negroes and Mexicans were brought here to work in the large plants of the Bethlehem Steel Company. They were segregated in two large labor colonies. Police have continually experienced trouble with them, many of the imported negroes having prison records in other states. Mayor Cauffiel protested the importation several times, but never took drastic steps until the killing and wounding of the policemen.

Pennsyvania Problem.

Johnstown is one of the many Pennsylvania cities which faces a serious problem on the influx of colored labor from the south in recent months to work in the industrial plants. In a recent survey of conditions in this state, the Department of Labor and Industry found few places where negroes could be used to good advantage in rural communities. Questionnaires were sent to numerous grange organizations and county farm agents by the department and the answers were practically the same. This survey was made in a hope of finding suitable employment in the country districts for this negro help and which also would serve to aid the housing situation in the centers of population.

Protests have been pouring in from all sections of the country to the mayor, city officials and Johnstown newspapers. There has been, however, no protests from any organizations in Johnstown. The public here is believed quietly to approve the mayor's actions, and the exodus is going on without any outbreaks between whites and blacks. The Bethlehem Steel Company is paying off negroes and Mexicans as fast as they apply and is not protesting. County authorities have taken no action and state that so long as order is maintained they will not interfere with the mayor.

Johnstown and Tuskegee.

Johnstown is in Pennsylvania. Tuskegee is in Alabama.

The public knows what is happening in Johnstown. The mayor of the town has ordered every negro who has not been a resident for seven years or more to pack up and get out.

If the white citizens of the town believe that his decree is unjust, they have so far failed to register an objection. Therefore, it is fair to assume that their views are in accord with those of their chief executive.

At intervals we learn of something that is happening at Tuskegee. The institution made famous by Booker T. Washington is located there. Washington is dead, but his work goes on.

George Washington Carver is a member of the institute faculty. He has just been awarded the prized Spingarn medal for his work in agricultural chemistry, his chosen field. It is claimed that Carver has produced 118 products from the sweet potato and 165 from the peanut. That beats the two blades of grass feat all to hollow.

There are two points of the story worthy of emphasis.

The first is that, while northern whites may contribute money to aid negro institutions and offer medals for excellence in any line of endeavor, they would rather he live and function in parts far removed from them. The intolerance of the white people of Johnstown is but one of many such exhibitions that may be cited in proof.

The second point is the aptitude of the negro in agricultural affairs. The south is an agricultural section, and therefore offers the greatest opportunities for agriculturists.

The citizens of Tuskegee are responsible for the great negro school located there. It was on their suggestion that the work of establishing the institute was begun by Booker Washington. This great negro educator publicly declared that the negro fared better in the south.

But we don't have to go as far back as the days of Booker T. Washington for proof of this. Right here in Memphis we have some negro leaders who are capable of giving splendid advice to members of the race. Before the negro falls victim to the wiles of labor agents and sets out on a wild goose chase, he would profit by conferring with race leaders who know conditions in all sections.

Let him ask Sutton E. Griggs, or Thomas O. Fuller, or Bert M. Roddy, or Alfred F. Ward. Griggs and Fuller are preachers; Roddy and Ward are bankers. They are in position to advise the negro as to what is best for him spiritually, mentally, physically and financially. It ought not to be hard for the black man to choose between the Johnstown way and the Tuskegee way.

COPIAH NEGROES IN JOHNSTOWN 'MOVE ON'

Hazlehurst C. of C. Offers Aid in Getting Counsel.

HAZLEHURST, Miss., Sept. 26.—T. Delos Peets, secretary of the Hazlehurst Chamber of Commerce, has wired Gov. Clifford Pinchot of Pennsylvania to express the disfavor of the people here over the recent ultimatum of the mayor of Johnstown, Pa., who ordered all negroes to leave that city after a crime had been committed by one negro. The mayor of that city did not only order the guilty negro to depart, but ordered all to leave, if they had not been in Johnstown seven years or more. It is said that Copiah County and Hazlehurts have some negroes in the number that were told to leave Johnstown after the trouble. It is a rule here that when a man commits a crime he is punished, but no others, and the secretary of the Chamber of Commerce expressed the resentment of the people here in the following telegram:

"Hazlehurst, Miss., Sept. 25, 1923.—To Gov. Clifford Pinchot, Harrisburg, Pa.: We condemn the action of the Johnstown mayor in causing all the negroes to suffer, who have not lived in Johnstown seven years or more, on account of a crime committed by one of their race. We believe this is the intention of the laws of your good state. If the negroes in Johnstown who had nothing to do with the crime are unable to obtain counsel, we will be glad to help them in getting counsel. Will you advise us the final decision of the mayor regarding the move-on' order.

(Signed) "T. D. PEETS,
'Secretary Chamber Commerce, Hazlehurst, Miss."

No reply has been received as yet from this telegram, but one is expected today or tomorrow, after which help may be sent those negroes who need it in Pennsylvania.

Riots—1923

NEGROES FIRE ON POLICE; KILL ONE, HURT FOUR

Houston Post
Houston, Texas

Oklahoma Town Is Scene Of Battle; Posses Chase Blacks 1-2-23

Associated Press Report.

SAPULPA, Okla., Jan 1.—One policeman was shot and killed and four other officers were wounded here late tonight when four negroes, ambuscaded in a darkened restaurant, fired upon them without warning.

Officer S. F. Bramley was instantly killed. The wounded are Jess Hildreth, Arthur Adams, D. S. Loveland and Floyd Sellars.

The police received what they believe was a decoy call a few minutes before the shooting. The five officers were sent to the restaurant and as they stepped up into the light from a porch lamp they were met with a hail of bullets from inside.

Reinforcements were rushed to the scene and after a short gun fight the negroes escaped out a side door and fled in a motor car.

According to the police, Ed. Glass, an undertaker, is the leader of the negroes. Officers said they had had considerable trouble with him during the last three weeks. Glass was at liberty under bond after being arrested Saturday on a charge of carrying concealed weapons.

After the negroes fled from the restaurant a large quantity of ammunition was found stacked on the counter. The four negroes were armed with high powdered rifles.

A posse of 200 men was formed immediately and a hunt is under way in the hills surrounding the city.

The shots came without warning and the slain officer's gun was still in his pocket, the officers said.

The tip of Adams nose was shot off and the other officers were shot in the legs.

ARMED GUARDS AVERT RACE RIOT IN SAPULPA

Commercial Appeal

Five Policemen Ambushed by Negroes; One Killed.

Memphis, Tenn.

1-3-23

NEGRO HOUSES BURNED

Four Buildings, Owned by Black Believed to Have Led Attack on Officers, Are Laid in Ashes. Races Kept Apart.

SAPULPA, Okla., Jan. 2.—Heavily armed guards patrolled the borders of the negro quarters here tonight and officials were confident that there would be no race trouble growing out of the killing of Policeman S. E. Brumley and the wounding of four others late last night by four negroes.

While the tenseness of the situation had not worn off after darkness fell the city authorities declare that the guard was sufficient to quell any disturbance.

Several negroes suspected of having taken part in the attack on the officers, who, it is believed, were decoyed into what was meant to be a death ap, were arrested today, but the police do not believe they are the guilty ones.

The search continued outside the city for Ed Glass, believed to be the leader of the negroes, who fired on the officers, and his companions.

The establishment of a dead line between the negro and white sections of the city followed the burning of four buildings owned by Glass, a cafe, from which ambuscaded negroes fired on the policemen, an undertaking establishment and two rooming houses. The fires apparently were of incendiary origin.

Proclamation Issued.

Negroes working outside their district were permitted to pass the guard line, but all others were turned back. Similarly whites, who did not have business in the negro quarters, were prevented from entering.

Citizens of Sapulpa, both white and black, were called on in a proclamation issued today by Mayor I. H. A. McCauley to maintain order. The mayors' proclamation requested all the people of the city to refrain from and discourage undue excitement and to "lend assistance when called on so that life and property may be protected from the extremity which might follow hasty and unseemly action."

The five patrolmen who went to "Tigertown" last night in answer to a telephone reporting trouble, were fired on without warning by negroes hiding in the cafe. The officers were shot down before they had time to return the fire. The negroes escaped. None of the four wounded officers was in a serious condition tonight.

ARMED GUARDS PATROL STREETS OF SAPULPA

Memphis Commercial Appeal

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Oklahoma.

TOWN PATROLLED BY ARMED MEN

Atlanta Constitution
1-3-23

Dividing Line Established Between White and Negro Districts, Following Policeman's Murder.

Sapulpa, Okla., January 2.—Armed guards today are patrolling the dividing line between the white and negro sections of the city with orders to permit no white persons to enter the negro district and to keep the negroes in their own area, while other special deputies are watching all roads in this vicinity in an effort to apprehend the negroes who late last night ambushed five policemen, killing one and wounding the others.

The deadline was established as a precaution, authorities explained, following a fire in the negro district a few hours after the attack on the policemen, which destroyed four buildings, three of which were owned by Ed Glass, a negro believed by officers to have been the leader of the attacking party. The order separating the two races, however, permits negroes who are employed in the city proper to go to and from their work.

The fire was seen to break out simultaneously in the three buildings which Glass owned. While the blazes were raging hundreds of cartridges exploded, indicating, authorities said, that a quantity of ammunition had been concealed in one of the buildings. Another structure caught and within a few minutes all four buildings had been burned to the ground. They included a cafe, undertaking establishment and two rooming houses.

So far officials have been unable to ascertain the origin of the fires.

GOVERNOR WILL WAR ON OKLAHOMA MOBS

Atlanta Constitution

Hartshorne, Okla., September 4.—Mob violence in Oklahoma will be stamped out if it is necessary to put every national guardsmen in the state on duty and then call for volunteers, Governor J. C. Walton told several thousands of coal miners of eastern Oklahoma, gathered at a Labor day picnic here. 9-5-23

"I may have to come over here and ask some of you people to help me, but I am going to straighten out some of these counties even if I run short of troops and have to go on the job myself," the governor said.

The executive vigorously defended his action in suspending the right to the writ of habeas corpus in Tulsa county, reading from the law to sustain his position.

A test of that power is anticipated at Oklahoma City and it is indicated at the capital that the executive is prepared to meet the issue.

Under the provisions of the governor's martial law proclamation, a prisoner seized by the military may be held indefinitely.

Governor Walton contends that he has ample legal authority, holding that all civil agencies, including the courts, are entirely subservient to the military when martial law is declared at the demand of public safety.

On the other hand, those who disagree cite a section of the state legislation which reads:

"The privilege of the writ of habeas corpus shall never be suspended by the authorities of this state."

"I say the man who comes to your home with the intention of taking you out and beating you to death is a criminal and should be shot on the spot," Governor Walton declared in his speech.

"I can offer but two alternatives. First, go home, arm yourself and protect yourself as best you can. When attacked by a mob, shoot and shoot to kill. Or, second, I can call out the guard and declare martial law, supercede the local authorities and clean up the whole thing. That is what I am going to do, and I want you to know that Tulsa is not the only bad county. We have many others just as bad."

TROOPERS ARREST 8 IN TULSA FLOGGING

Atlanta Constitution

Tulsa, Okla., September 10.—(By the Associated Press.)—Martial law reached hitherto untouched spots today when eight Collinsville business men were brought before the military court and two Kiefer citizens were arrested for participating in a flogging in Tulsa county. Kiefer is in Creek county.

The eight from Collingsville were: J. R. Caudle, banker; H. W. Gilliland, Oscarf Atkinson and John Maltby, city commissioners; H. Perry, chief of police; J. O. Colburn, J. R. Maltby and J. A. Reavis. Whether all were released after questioning could not be learned, but it is believed at least one is being detained at the national guard armory.

The Collinsville men were questioned, it is understood, about two flogging parties in the east part of Tulsa county. Their summoning apparently had no bearing on the recent attempt at Collinsville to drive foreign smelter workers out of the city. 9-11-23

Formal charges of rioting were filed this afternoon against Ray Walker and H. R. Alberts. They were accused of having been connected with the whipping of Jim Neifah, the night of November 28, 1921.

Prospects for a peace treaty under which martial law would be lifted from the county went glimmering today when Governor Walton addressed the local chamber of commerce that "events have transpired" which rendered it impossible for him to state, as he had promised a few days ago, the terms upon which he was ready to withdraw the troops.

KLAN ACCEPTS WALTON'S DICTUM.

Oklahoma City, Okla., September 10.—Bowing to Governor J. C. Walton's edict against masked assemblages, state officials of the Ku Klux Klan issued an order here early tonight forbidding klansmen in Oklahoma to hold masked parades or meetings.

The decision of the klan officials to abide by the executive's decree was announced by N. C. Jewett grand dragon of the Oklahoma realm of the klan.

It came when preparations were under way by Governor Walton to use troops, if necessary, to prevent a series of klan demonstrations scheduled over the state this week, the first of which was advertised for Bristow tonight.

Adjutant General B. Markham had been instructed in the day to hold national guard units in readiness for movement to the counties in which the klan parades were planned.

For Law and Order.

"The klan is for law and order first, last and all the time. Because of this fact any masked parade or meeting of any kind in the state of Oklahoma is absolutely forbidden," said the statement of Grand Dragon Jewett.

Masked assemblages were placed under the ban by Governor Walton on the ground that they would lead to disorder and riot. In forbidding the appearance in public of masked men, Governor Walton, in a statement issued Saturday night, asserted that the trail of floggings and other mob outrages in the state led to masked organizations. He named the Ku Klux Klan as being responsible for virtually all the mob activities in Tulsa county, which is under martial law.

H. W. Evans, imperial wizard of the klan, has stated that the national organization would take no action in the Oklahoma controversy over masked demonstrations, but would leave the matter entirely in the hands of the state realm.

MARTIAL LAW IN TULSA, OKLAHOMA

The Federated Press

By ERNEST R. CHAMBERLAIN
(Federated Press Staff Correspondent)

OKLAHOMA CITY.—The public spanking now being administered to the city of Tulsa by Governor J. C. Walton in the form of a declaration of martial law marks the second recent chastisement of a city in Oklahoma resulting from the flagrant action of mobbing parties performing apparently with full sanction of the police.

Governor Walton is again the storm center of the state, the press generally condemning him vigorously for using martial law to punish a private crime.

Tulsa's pride is hurt by the martial edict. Tulsa regards her mobs as "her affair."

There was no danger of insurrection of public riot in Tulsa over the flogging of Nate Hantaman. Hantaman was a man who had been frequently brought before the police and questioned closely over illegal dope sales. On the day preceding his whipping he had been questioned and released. On his way home a car stopped him, the occupants saying that the chief wanted to talk to him more. He entered the car. As they drove past the station a sack was thrown over his head and he was bound. In the country his hands were tied over his head, his clothing stripped from him and he was mercilessly beaten and left in the road. He was picked up and taken to a hospital. From there he came to Oklahoma City.

Prominent citizens were called to view his wounds. His body was terribly lacerated. His genital organs were beaten and slashed to a pulp.

The militia in Tulsa have made a few arrests as they did on a similar occasion in Okmulgee. The governor declares he is taking the action for the purpose of bringing forcibly upon the people of the state the realization that if mob action is not controlled in its communities there will be considerable advertising for that community which will be displeasing to the Rotary Club spirit.

Night after night, one at a time, citizens in Tulsa have been taken out and whipped for months. No man has ever been prosecuted for taking part in mobs. The Tulsa bar is now probing the case of a man who was terribly beaten in the police station for not confessing to burglary. The city is honeycombed with Ku Klux sentiment, but possesses a strong anti-Ku Klux group also, the backbone of which is a strong Catholic church. Except for the Oklahoma Leader and the Wichita Eagle the press of this territory regards the martial law edict in this instance with condemnation.

This is Tulsa's second experience with martial law, the first arising out of the race riots in June, 1921, when the negro section of the city was burned to the ground and dozens of persons killed.

The edict requires Tulsans to be off the streets from 11:30 p. m. to 6 a. m., unless they have night work. The mayor of Tulsa declares that his police will continue to function. Governor Walton has dispatched Attorney General George Short to conduct a legal investigation to punish those guilty of mob activities, although the attorney general was elected with Klan support.

Many who approve the martial law edict have scant confidence in its proving effective. They charge the governor with putting up a big show about suppressing mob law when at the same time his pardon record already surpasses that of any other governor. An attempt to create a pardon and parole board by initiative is now being made. The Okmulgee martial law proclamation resulted in no real exposure, the troops being speedily withdrawn. Apologists for mob action point to the fact that dozens of persons legally convicted of crimes from murder down have been released by Walton through the medium of police "pardon attorneys." They charge that the governor has issued thousands of state police commissions to persons with police court records.

ARKANSAS MOB RULE

NEW YORK.—The self-styled citizens' committee of Harrison, Ark., which lynched E. S. Gregor, a striking railway shopman, last January in an organized campaign of terrorization among the workers of that vicinity, is still carrying on its lawless work of mob violence and intimidation, according to information received here. That the Arkansas terrorists, composed largely of members of the Ku Klux Klan, do not stop at murder has been given again by the discovery of the body of a young man named Lean about a mile from hi shome in White Oak. Lean's family and the neighboring farmers believe that he was a victim of one of the many outrages recently committed in that vicinity, among which was the whipping of four boys, one of whom became insane as a result.

Another man, Joseph Linberry, a brother of one of the striking shopmen, was forced to leave Harrison in January before the lynching of Gregor. Returning to Harrison about a month ago, Linberry was immediately brought before the "citizens' committee" and ordered to leave the town and not to return.

A third recent victim of Arkansas mod rule is a railway conductor by the name of Ross, who worked for the M. & N. A. from 1882 up to the time of the railway strike last summer. During these years Ross has been a resident of Eureka Springs and owns his home there. Although he had been repeatedly notified to get out of town Ross, who is 67 years old, has refused to heed the threats. The last warning he received declared that if he was not gone by Aug. 19 he would be "properly taken care of," for on that date there would be an excursion train from Harrison and the crowd would visit him and see that he and all the other strikers left Eureka and did not return.

Riots—1923. Oklahoma.

TROOPS GOVERN TULSA

The Houston

Martial Law Declared As Result of Flogging; Heavily Armed Troops Will Arrive Today.

Post 8-14-23

Other Counties Threatened; General Probe of Mob Outrages Ordered by Governor Walton.

Houston Texas

Associated Press Report.

OKLAHOMA CITY, Aug. 13.—Governor J. C. Walton late today issued a proclamation placing the city of Tulsa under martial law.

The city goes under the rule of the military at 6 a. m. tomorrow. Guard units from Oklahoma City and Okmulgee were immediately ordered to proceed to Tulsa.

Issuance of the proclamation followed brutal floggings of Nathan Hantman of Tulsa last Friday night.

Hantman called at the governor's office today and was in conference with Aldrich Blake, executive counsellor. The martial law order was promulgated immediately after Hantman told his story.

Walton Telephones Order.

All civilians must be off the streets by 11 o'clock at night and may not appear again until 6 a. m. without specific permit from the military authorities, it was announced.

The order will not affect the courts or other departments of the civil government with the exception of the police and the sheriff's office, Counsellor Blake said.

Governor Walton, who is resting at Sulphur, telephoned Blake instructions to issue the martial law proclamation.

Troops ordered to Tulsa by Adjutant General B. H. Markham were companies A. and D, 119th infantry, Oklahoma City and company E, of Okmulgee. The Oklahoma City units are commanded by Captains C. O. Lee and E. R. Fowls. Captain Jim Sweeney will command the Okmulgee company.

Troops Well Armed.

"The units I am sending to Tulsa are some of the best equipped in the State. They will be armed with automatic rifles in addition to full infantry equipment," Adjutant General Markham said.

"We intend to go to the very bottom of the Tulsa situation," Counsellor Blake said following his telephone conversation with the governor. "It is clear that the law is not being enforced and even where a particular official attempts to enforce the law obstacles are thrown in his way that absolutely prevent the maintenance of law and order.

"The Hantman whipping is only one of a series that has been reported to the governor's office and Governor Walton intends to see that all citizens are given the full protection to which they are entitled under our State law and the constitution of the United States."

General Probe Ordered.

The other counties may be placed under martial law if reports of similar mob outrage continue to come in, it was stated. A recent whipping at King Fisher is being rigidly investigated, it was said. It was stated, however, that there appeared to be no immediate necessity of sending troops there.

Once troops are in control at Tulsa a sweeping investigation will be made not only into the Hantman whipping but also into general conditions prevailing in the city, it was understood.

The governor's proclamation follows:

"Proclamation,

"Declaring martial law in the city of Tulsa, Okla.

"By virtue of the authority conferred upon me by the constitution and laws of Oklahoma as chief executive of the State and commander-in-chief of its military forces, I, J. C. Walton, governor of Oklahoma, having caused an investigation to be made and being fully apprised that a State of lawlessness and disorder amounting to a state of insurrection against the civil law now prevails in the city of Tulsa, Okla., and local officers of the law either can not or will not suppress the breaches of the peace:

"I hereby declare martial law throughout the area of the city of Tulsa, Okla., and have called upon the military forces of the State to enforce the same in order to end, at once, the condition of lawlessness and terror which now exists, to protect human life and keep the public peace until such time as the local civil authorities can again insure the enforcement of the law and the protection of every race, class and condition in the employment of civil rights and liberties guaranteed them by the constitution of the State and nation.

"In witness whereof I have hereunto attached my name and caused the great seal of the State to be affixed.

(Signed)

"J. C. Walton,

"Governor and commander-inchief."

NEGRO WOMAN SUES CITY FOR RIOT LOSS.

Asks $4,243.75 Damages Because of Race Riot.

TULSA, Okla. — When a damage suit for $4,243.75 was filed against the city of Tulsa by Julia Hagens, Negro woman, Saturday, an echo to the race riot which swept Tulsa the night of May 31st and morning of June 1, 1921, was heard at the court house. The woman claims that she suffered actual damages amounting to $4,243.75 when white rioters burned her home and three other frame dwellings which she owned. She says that the city is at fault because the Mayor and police chief permitted the rioting and even furnished guns to hundreds of white persons. A claim for the damages was filed with the city commissioners recently, it is said, but was refused.

This is the first damage suit filed in court against the city as a result of the riot, although nearly $7,000,000 worth of claims have been filed before the Board of City Commissioners. All the claims were rejected. About sixty suits were also filed in District Court by Negroes who lost property against various fire insurance companies. None of these suits have ever been tried, and it is not believed that any of them ever will be, as in every case the fire insurance policy contained a clause excluding the companies from blame in cases of riot or martial law.

Local attorneys do not believe that recovery can be had from the city, as it is not believed that a city is liable for damages sustained by property owners during a race riot.

TULSA NEGROES SUE CITY FOR $3,035,235.00

Tulsa, Okla., July 7th.—Colored citizens who lost property in the race riot of May 31 and June 1, 1921, have filed damage suits against the city in the local district court and in the federal court at Muskogee totaling $3,035,235.87. Approximately 125 suits were filed before the state of limitations expired Friday.

Dallas Texas 7-8-23

Friday and most of Thursday the court clerks' office was rushed to care for the flood of riot claim suits. A rush to file suits was made Thursday and the clerks worked until late at night drawing up all the necessary papers, as 86 suits were filed during the afternoon.

The 86 suits filed Thursday, the 25 filed Friday and the seven filed last Tuesday total, $2,767,211.29. With the damage suits filed Thursday in federal court at Muskogee by other property owners the grand total of $3,035,235.87 was reached.

All Allege Negligence.

The suits all set out practically the same grounds of contention claiming that the city officials were negligent and instead of protecting the Colored citizens and their property aided the rioters in killing them and applying the torch to the colored district the morning of June 1, 1921. All of the suits ask actual damages and also punitive damages. The city and county are all defendants in each of the suits. ....

....The largest single suit was filed by A. L. Phillips, who is asking damages totaling $150,000. Other large suits were filed by William Redferu. who asks $108,535.85. Lulu T. Williams who, in two suits asks a total of $175,533; Barney Cleaver, $125,000 and B. J. Sandridge, $116,500.

....

Federal Claim is $268,204.58.

Four suits filed in federal court at Muskogee against the city and country were for a total of 268, 024.58. They were filed by Emma Gurley, $116,500; Jim Cherry, $100,000; F. R. Williams $34,944.58; Lilie Shoben, $16,130.

The time for filing the suits expired Friday, as the law allows only two years in which to file such damage claims.

Insurance Companies Sued.

Scores of suits were filed against fire insurance companies immediately after the riot in which many sought to collect insurance for the losses.

The city also made a defendant in all these suits, but on demurrers filed in court by the attorney all the cases were dismissed as to the city. The suits against most of the insurance companies are still pending. However it is not believed that any of them will be collected, as all of the insurance policies contained the "riot Clause."

(By the Associated Press.)

OKLAHOMA CITY, Okla., Sept. 7.—No moderation of martial law in Tulsa County is contemplated. On the contrary, if any new order is issued in the situation it likely will be the promulgation of military rule throughout the state, Gov. Walton declared here today in a formal statement to the press.

Commercial Appeal

WASHINGTON, Sept. 7.—Secretary Weeks, in a telegram sent today to Representative Howard of Oklahoma, declared that a "declaration by a governor of a state of martial law or than an insurrection against the government of the state exists, is a matter in which the war department cannot intervene."

Memphis Tenn.

The national guard of a state when not in the service of the United States," the secretary of war's telegram continued, "is not subject to the orders of the war department but is exclusively under the control of the authorities of the state. I find nothing in the federal constitution or statutes that would warrant intervention by the secretary of war in the premises."

7-8-23

The message was sent in reply to one from Representative Howard requesting the war department to investigate the use of Oklahoma national guard units in the enforcement of Gov. Walton's proclamation of martial law in Tulsa County. The secretary's telegram was sent after he had obtained an opinion in the matter from Major Gen. Bethel, judge advocate general of the army.

(By the Associated Press.)

OKLAHOMA CITY, Okla., Sept. 7.—The entire state of Oklahoma was threatened with martial law today by Gov. J. C. Walton, coincident with a challenge thrown to him that he would never be able "to break the power of the Ku Klux Klan in Oklahoma."

Charging that the drive being conducted by the executive in Tulsa County against mob floggings was inspired by Walton's desire to make himself "a national figure," N. W. Jewett, grand dragon of the Oklahoma realm of the klan, declared that the governor "would like to drop the iron that has grown too hot for him to hold right now if he could."

"Jack Walton cares nothing for the men that have been whipped; his fight is on the klan," Jewett asserted.

Conflict With Lawless Element.

Voicing his unshaken determination to "restore the supremacy of the law in this state," the governor said:

"I realize that the conflict with the lawless element and lawless spirit of large groups of Oklahoma's citizens is a desperate one; that my enemies will use every weapon at their command, including the press where they can command it, grand juries and other agencies, to defeat the purpose of this administration."

In a bitter attack on the executive, Grand Dragon Jewett charged "Jack Walton entered the kitchen of the klan, but he never got any farther, and that is one of the principal causes of his fight on the klan." Jewett alleged that Walton had been "obligated" in the klan at the capital by Minor Merriwether, formerly a kleagle at Muskogee, adding "that is as far as he ever got."

The Oklahoma City organization rejected the governor, Jewett charged.

Answering allegations from the governor's office that only the klan has been found responsible for Tulsa County floggings, Jewett declared that the klan repudiated the few "weaklings" of its membership who had become involved in masked violence. "The klan has ever advocated enforcement of the law," he said.

Will Protect Themselves.

In line with Gov. Walton's advice to citizens to arm and "shoot to kill" when attacked by mobs, state police commissions were issued today to several Comanche County farmers, according to Aldrich Blake, the governor's counselor.

"Persons who have been threatened by mob violence will be given commissions to protect themselves," said Blake.

A full pardon to any person convicted for shooting members of mobs has been promised by Gov. Walton.

"PEACE" PARLEYS ON.

Tulsa Business Men Seek Lifting of Martial Law.

(By the Associated Press.)

TULSA, Okla., Sept. 7.—Directors of the Tulsa Chamber of Commerce, acting for the 2,000 business men represented in the membership of the organization were awaiting tonight a communication from Gov. J. C. Walton, outlining the terms upon which he is willing to lift martial law from Tulsa County.

A committee returning to Tulsa this morning from Oklahoma City reported to the chamber directors that it had found the governor ready to discuss the matter of law enforcement in Tulsa. The executive had agreed, the committee members said, to write the chamber a letter setting forth the assurances he demanded that men in office would enforce the law and that they would be given the whole-hearted support of the community.

Whether developments today at Oklahoma City would interfere with the "peace" negotiations was a matter of concern here as the governor definitely declared in a formal statement this afternoon that he was not contemplating any moderation of the martial law proclamation in Tulsa County, even threatening to make martial law state-wide.

Up to tonight, Congressman H. B. Howard had received no answer to his telegram of yesterday asking the secretary of war to investigate the use of national guard troops in Tulsa County. Press dispatches, however, reported that the secretary of war had ruled the situation will be entirely in the hands of the governor.

"We have accomplished one thing with the telegram," said Mr. Howard, "in that we have let the country know we are a law-abiding city."

A sidelight on the whipping cases developed today at the preliminary hearing of Leonard Bagby and others on the charge of conjoint robbery. Edward Crossland, attorney for Bagby, declared in court that the charges were a "frame up" by the Ku Klux Klan, intended to "get Bagby because his testimony has been instrumental in the bringing of charges of rioting against Marshal Moore and others for the whipping of Bagby at Broken Arrow."

The military inquiry into mob floggings continued unabated today. Observers reported that witnesses summoned were the same as those called recently by the county bar association when it investigated charges of brutality brought against the police department.

OKMULGEE'S "TERROR" BRINGS STATE ACTION

Martial Law Declared With Sheriff Under Fire.

SAY LAW NOT ENFORCED

Oklahoma State Forces Will Take Over Sheriff's Duties—Arrest of Minister One of Irregular Actions Cited by State.

(By the Associated Press.

OKLAHOMA CITY, Okla., June 26.—Gov. J. C. Walton today placed Okmulgee County under martial law, declaring in his proclamation that a state of lawlessness and terror existed there.

Announcement of the issuance of the proclamation was made by Aldrich Blake, the governor's secretary.

The proclamation, he said, asserted that a "State of Lawlessness and Terror" exists in Okmulgee County, as a result of the neglect of the sheriff to enforce the law.

John Russell, Democrat, is the sheriff. He was elected in the general elections last November.

The governor acted, Blake said, on the strength of signed statements submitted to him by three well known Okmulgee County citizens, which, he said, detailed lawlessness in the county.

They are, according to Blake:

The Rev. J. C. Curry, pastor of the Methodist Episcopal Church, South, at Okmulgee; James Stoddent, chief of police at Henrietta, and W. L. Sullins, an Okmulgee automobile dealer.

Civil Authority Superceded.

Military control probably will be confined, for the present at least, to the sheriff's office, the governor's secretary said, adding that all civil authority would be superceded.

The statements submitted to the governor set out three specific instances of alleged abuse of official authority by deputies under Sheriff Russell. One related the alleged detention of an Oklahoma City minister, who appeared at Okmulgee to speak in the interest of a relief campaign. The statement said he was arrested by a deputy sheriff and held several hours incommunicado, later being released by order of the sheriff. No charges were filed against him, the statement said.

About three weeks ago, according to the statement, John Turnbull and Ivan Harris, who were riding on a public highway with two young women were "held up by two deputy sheriffs, insulted and abused." The statement said that "as the deputies approached the car it was fired upon and later one of the boys was struck by one of the deputies.

The third alleged example cited in the statements was the death of a negro, who, it was declared, had been killed by a deputy sheriff when the negro fled at his approach. The officer was said to have been searching for liquor.

SOLDIERS DISPLACE OKLAHOMA SHERIFF

Governor Withdraws Some Troops From Okmulgee, but Keeps 'Small Force' on Job.

AIMS AT 'LAWLESS MOBS'

Walton Threatens to "Enforce Law" in Four Other Counties in the State.

OKMULGEE, Okla., June 27 (Associated Press).—All except a "small force" of the Oklahoma National Guard units which arrived here this morning to enforce martial law in Okmulgee County, following Governor J. C. Walton's proclamation late yesterday, were ordered returned to their homes and demobilized, Brigadier General Alva Niles announced here this afternoon.

Instances of alleged law violations are being "rigidly investigated" and the guilty will be proceeded against through the usual agencies, General Niles's statement said. Roy Crane, speaker at an alleged anti-Catholic meeting here last night at which minor disorders are said to have occurred, was forbidden to hold a similar meeting tonight, it was announced.

The statement said that Sheriff John Russell had turned his office over to the military force, which would operate as a law enforcement body, but that none of the other governmental or court business of the county would be interfered with.

Governor Walton had proclaimed that a state of lawlessness and disorder amounting to insurrection against civil law rendered necessary the placing of State troops in control. The proclamation was accompanied by a statement signed by three Okmulgee County citizens detailing alleged abuses of power by the force of Sheriff Russell and declaring the Sheriff had been "utterly indifferent" to a series of depredations which threatened "serious riots."

Answering, Sheriff Russell declared the Governor's action grew out of the arrest of several men carrying special police commissions signed by the Governor and the challenging of a number of other special officers of the Governor who came into Okmulgee County bearing arms. Specific allegations by the three citizens were denied by the Sheriff.

OKLAHOMA CITY, Okla., June 27 (Associated Press).—"Operations of lawless mobs that have been committing outrages in Okmulgee County for months," and not merely the statement of three citizens detailing alleged abuse of official authority by deputy sheriffs, prompted Governor J. C. Walton to proclaim martial law in Okmulgee County, he told the Associated Press today. He said the statement was "merely the climax."

The Governor said that four other counties in the State were threatened with the same condition as he asserted existed in Okmulgee County.

"Caddo County is on the verge of the same thing," he declared. "I am going to stamp mob rule and mob violence out of Oklahoma if I have to put every county under military law and leave them there as long as I am Governor.

"I have tried and tried to get results through the regular civil agencies without success," the Governor declared. "Local officials are too often allied with these secret, lawless mobs, and I have got no results. I am determined to get results. Okmulgee County is going to stay under martial law until I am satisfied I have sufficient enforcement there."

The Governor declared that throughout the six months that he has been in office he has received reports of mob violence in Okmulgee County.

"Several months ago there was a murder in Henryetta," he recounted. "The man's brother was in my office last week asking me to do something to apprehend the slayers. He said that he had tried to investigate, but had been warned secretly that unless he stopped the inquiry and left the city he, too, would be found dead.

"Many other similar incidents have been brought to my attention. It is not only the alleged depredations of the deputy sheriffs. It is these lawless mobs that have been operating for months."

The Governor said that he had received a report from Anadarko, Caddo County, that Paul Freeman had been seized by a masked band there while escorting two young women home from church, taken into the woods and beaten into insensibility.

"Officials of Caddo County declined to investigate the case, declaring there was nothing to the charge," the Governor added.

TROOPS MARK TIME IN OKLAHOMA'S "TERROR"

Military May Soon Be Dispersed, It Is Indicated.

MOB ACTION IS DENIED

Citizens Say "Community Harmony Movement" Ended Menace From Secret Mob Actions Some Time Ago—Deputies Attacked.

(By The Associated Press).

OKLAHOMA CITY, Okla., June 28.—Further military steps in Governor J. C. Walton's drive to rid Oklahoma of "lawless mobs" will depend upon whether whippings, assaults and other forms of violence cease, it was said today at the executive offices.

With law enforcement in Okmulgee County in the hands of national guardsmen and four other counties of the state under the threat of martial law, the governor made it plain that he was ready to go the limit to suppress mob activities.

Meanwhile unnamed officials of the Ku Klux Klan were quoted in the local press as expressing their belief that the governor's move was directed at the klan. No mention of the klan has been made by Governor Walton in public utterances dealing with mob violence.

Has Attacked Klan.

Several times since his election the executive has taken occasion to condemn the Ku Klux Klan as an organization menacing orderly government in the state.

For some time, it is known the governor has had secret agents working through the state investigating cases of abductions and whippings and other mob activities.

Less than 100 guardsmen are on duty in Okmulgee County, only enough to replace the force of Sheriff Russel.

Roy Crane, a self-styled "ex-priest" was prevented from delivering an anti-Catholic address in Okmulgee last night by the military authorities. It was said he held a meeting in a pasture just over the Muskogee County line, where numerous Okmulgee citizens followed to hear him.

Crane's presence in Okmulgee was protested yesterday by members of local American Legion post, who charged that he was senteneed to prison for draft evasion.

TROOPS SOON TO WITHDRAW.

(By The Associated Press).

OKMULGEE, Okla., June 28.—That military regime in Okmulgee County, established late Thursday by Gov. J. C. Walton would be brief, appeared certain today Adjutant-Gen. Baird H. Markham, after conducting a court of inquiry said today that he expected all state troops to be withdrawn by Saturday at the latest.

Gen. Markham said he saw no reason for the guard remaining on duty after the investigation he is conducted is completed.

No evidence of activity of secret organizations has been developed at the hearings at which scores of Okmulgee County citizens have testified, the adjutant-general announced today. Virtually without exception the witnesses he has questioned have centered their complaints upon alleged abuse of official authority by deputies under Sheriff John Russell, he said.

The adjutant-general said that "if there had been a menace to law and order by secret organizations it had passed within the last few months with the organization of a community harmony movement."

EIGHT MEN ARRESTED

Marshal Law Reaches Untouched Spots in Oklahoma Klan Fight.

TULSA, OKLA., Sept. 10.—Martial law reached hitherto untouched spots today when eight Collinsville business men were brought before the military court and two Keifer citizens were arrested for participating in a flogging in Tulsa county. Kiefer is in Creek county.

The eight from Collinsville were: J. R. Caudle, banker; H. W. Gilliland, Oscar Atchison and John C. Maltby, city commissioners; R. Perry, chief of police; J. O. Colburn, J. R. Maltby and J. A. Reavis. Whether all were released after questioning could not be learned but it is believed at least one is being detained at the national guard armory.

Riots — 1923. Ohio.

CINCINNATI TRIBUNE,
AUGUST 1923

WHITE YOUTHS ATTACK NEGROES IN LINCOLN PARK

Small Army of Young Men Riots Through West End—Blacks Pursued for Many Blocks—Insult To Girl Cause.

Several hundred young white men rioted through Lincoln Park last night, chasing a group of negroes out of the park with a shower of bricks, clubs and bottles, and then pursued them through the West End, fighting pitched battles with groups of negroes here and chasing other groups there.

Policemen of the Fifth District and headquarters called to the scene were unable to quell the riot until it wasted itself away in pursuits through the negro sections of the lower West End. Several negroes are known to have been beaten, and both white and black combatants bore marks of the conflict.

Only one arrest was made, that of a negro who resisted a policeman. He was sent to the General Hospital.

The only other hospital casualty was George Cook, 21 years old, white, 911 Richmond street. He was taken to Seton Hospital with a dislocated right shoulder. He said some one struck him and he fell.

When large groups of white men gathered in the park around the outside railing, police of the Fifth District sensed that "something was up." Lieutenant George Bockhoefer and Policemen Beebe, Coleman, Connor, Gellenbeeck and Mussimar were detailed to the park to watch developments.

At 8:15 o'clock, when the dancing in the park began, a group of negroes entered and stood about the dancing pavilion. This was the signal for the white forces.

Make Futile Stand.

With a whoop they rushed in. The negroes attempted to make a temporary stand, with their backs to the dancing pavilion, by throwing benches in the way of the white offensive. Under a hail of bricks and other missiles the brief defense was swept away, and the negroes raced from the park.

The ardor of many of the whites was cooled with the first attack, but several hundred dashed from the park in pursuit of the blacks.

The negroes fled in a body toward Hopkins street, over Wade street. When they got to Hopkins and Harriett streets, a negro stronghold, they turned and prepared for battle. Others of their color came to their aid, and the air became filled with missiles.

A riot call was sent in, and Detectives Bullerdick and Hayes, and Hall and Thomas, with five traffic men, were sent to the scene in an auto patrol. Police Lieutenant George Beckhoefer, with his Fifth District men, came up.

The policemen, however, were caught between the two forces, and some of the officers proved marks for the many missiles hurled back and forth.

After a furious battle the young white men drove the policemen out of their path, and sent the negroes pell mell down Harriet street, toward Oehler street. At Oehler street the negro force split up, some going toward Freeman avenue, and the other half going West on Clark street, over Baymiller street.

As the forces split Policemen Coleman and Beebe caught a negro who was particularly belligerent. The policemen had drawn revolvers, but the negro made a snatch for Coleman's gun. Coleman fought with him, and then Beebe hit him on the head with his club.

The policemen found a four-inch knife in the negro's pocket. They sent him to the General Hospital to be treated for a laceration on the head, and then charged him with carrying a concealed weapon. He gave his name as William Gillmore, 19 years old, section hand.

An unoffending negro was walking along Linn street when a mob of 200 white men came sweeping along. He saw them coming, did not know the reason, but thought it best to flee. He sped along for two squares, and then took it into his head to inquire the reason for the pursuit. He stopped suddenly, and with equal suddenness the pursuers stopped. After the negro made no further attempt to flee the white men went back. It is thought they believed the negro was armed, and stopped to prepare to shoot.

At Harriet and Hopkins street was parked an automobile containing two negroes. A section of the young white army began to pull the negroes from the automobile. The negroes were in the way of getting a severe beating when one of the negroes started the auto, put on all speed and dashed through assailants, knocking several of them aside.

When the policemen returned to Lincoln Park they found the ground littered with bricks, stones, clubs and pop bottles. Lieutenant Bockheofer then said he would order that soft drinks be served in Lincoln Park in the future in pasteboard or paper containers. He said he would assign a special detail of policemen to the park, to watch further uprisings.

After the dust of the conflict had settled it became known that the whole fracas was over a girl, which takes the action back to Saturday.

Last Saturday a negro was hit by a baseball in a ballgame in Lincoln Park played by two teams of white players. The negro swore at the batter and the others concerned in his injury, and was promptly beaten by two of the ballplayers and chased from the park.

Saturday night, when there were only four or five young white men in the park, the negroes came back in force. One the negroes got in a boat and invited a white girl, standing on the bank, to ride with him.

A young white man resented this and the four or five whites were chased from the park. The news got around and "gangs" of the whites from the Wade Street Park, the Washburn School Park, the Sands School Park and Lincoln Park massed their forces for last night's attack on the Lincoln Park negroes.

Riots—1923.

North Carolina.

ACTION TAKEN IN EFFORT TO PREVENT RACE FIGHTS

Montgomery

Carolina Governor Sends Adjutant General to Mitchell Court.

RALEIGH, N. C., Sept. 27.—Governor Cameron Morrison late this afternoon directed Adjutant General J. Van B. Metts to proceed to Spruce Pine in Mitchell county at once to handle a serious race situation which is reported to have arisen there as a result of an alleged assault on a white woman by a negro. 9-28-23

Reports received by the governor indicated that 'a concerted attempt is under way to drive all negro labor from the Spruce Pine section. The executive immediately wired authorities that he would afford the community ample protection and would see that rights of both races were protected.

Riots—1923.

New York.

BROOKLYN CITIZEN

OCTOBER 1923

ONE IS DEAD, TWO WOUNDED IN RACE RIOT

White Man Killed by Cop After Two Negroes Are Shot.

One white man is dead and two Negroes are in the Jamaica Hospital to-day as a result of a race riot which took place lat elast night at South and Prospect streets, Jamaica.

The shooting occurred in the midst of about five hundred persons at South and Prospect streets, Jamaica. The crowd had been drawn to the scene as the result of a riot that occurred between some Italian and Negro residents of that section of Jamaica.

The whites and Negroes were battling about the streets and two Negroes were lying on the pavement when someone telephoned for the reserves from the Jamaica precinct.

When the reserves reached the scene they endeavored to ascertain who had fired the shots that wounded the two Negroes, but failed to locate a weapon on any of those searched. Finally someone in the crowd pointed out an Italian to Policeman Riordan as one of the men who had been seen with a gun about the time the Negroes were shot.

Riordan walked over to where the man was standing against a fence, but before the officer realized what was happening the man pulled out a revolver and fired point blank at him. Two shots rang out in quick succession. Riordan jumped to one side and the bullets whizzed by his head. Quick as a flash he whipped out his own revolver and fired at his assailant.

The latter dropped to the sidewalk with a bullet through his heart. He was removed to the hospital, but died within a few minutes without regaining consciousness.

The dead man proved to be Vincenzo Puccarelli, 35 years of age, a laborer, of No. 3 Brown street, Jamaica.

The police used their clubs freely in the rioting which followed the shoot2ing of Puccarelli, and then took ten persons to the station house for questioning by Assistant District Attorney Frank Phillips.

During the afternoon th epolice learned that two negroes, Washington Jackson, 30, of No. 8 Catherine street, Jamaica, and Obie Earlford, 35, of No. 339 Union Hill street, Jamaica, had quarreled with some Italians in a store at the corner where the shooting later took place. The quarrel, the police learned, was over the wife of one of the negroes.

Last night the quarrel was renewed, and when the rioting started word was sent to the police that two negroes had been shot. When the police arrived at the scene they found Jackson shot in the left side and Earlford with a bullet near the heart. The latter is in a serious condition.

OCTOBER 1923

ONE DEAD, 2 WOUNDED IN JAMAICA RACE RIOT

Italian Laborer Shot by Patrolman—Both of Injured Are Negroes—One May Die.

One man was killed by police and two were wounded last night in a milling crowd of 500 persons at Washington and Prospect Streets, Jamaica, Queens, following a fight between Italians and Negroes over he alleged invitation of an Italian to a Negro girl to go for an automobile ride.

The dead man, Vincenzio Puccarelli, thirty-five, a laborer, of No. 22 Brown Street, Jamaica, was shot through the heart by Patrolman James Riordan of the Jamaica Police Station after he had fired twice point blank at Riordan as the latter started to search him.

Two Negroes, Obie Earlford, thirty-five, of No. 339 Union Hall Street, and Washington Jackson, thirty, of No. 8 Catherine Street, were shot during the melee which brought twenty-five police reserves from the Jamaica Station. Earlford, shot under the left arm and taken to Mary Immaculate Hospital, is expected to die.

Riots — 1923.

New Jersey.

CROWD BREAKS UP K. K. GATHERING IN NEW JERSEY HALL

Perth Amboy Police Use Tear Gas to Fight Back Mob

Houston Post

FIRE HOSE CUT BY RIOT GANG

Houston

Associated Press Report.

PERTH AMBOY, N. J., Aug. 30.—A crowd of 5000 persons broke up a meeting of the Ku Klux Klan in Odd Fellows hall tonight, 75 policemen and 150 firemen being unable to drive back the throng that stormed the building. Firemen drove trucks into the mass of people, but to no avail. A hurry call was sent for State police at Trenton.

Patrolmen fired shots in the air, threw gas bombs, and swung their night sticks while the firemen turned streams of water on the fighting throng.

8-31-23

Throw Tear Gas Bombs.

Police Chief Tonneson then ordered his men to throw tear gas bombs, and 13 of these, the town's entire supply, were exploded. The crowd fell back,, but advanced again, hurling more stones. It was then that a riot call was sounded and 150 firemen dashed to the scene.

After the firemen had run their apparatus directly at the surging mass of humanity and had failed to disperse the crowd they attached hose lines to every available hydrant and drenched the rioters with several streams of water. Daunted for a few seconds the crowd fell back. Several of the more sturdy, however, braved the water and cut the hose lines with axes and knives while those in the crowd threw stones at the firemen.

Klansmen Scatter.

Chief Tonneson, in the meantime, had ordered the Klansmen to leave the building. Clamoring out windows, down fire escapes and through every available exit, they were met by their assailants and many hand to hand fights ensued.

Houston

As one man darted from the crowd some one shouted, "that man has a gun." A patrolman seized him, shoved him into an automobile and hurried him to the police station. Other cars, loaded with men followed but the prisoner was rushed through the station and locked in a stable at the rear. After searching the station those who had followed returned to the scene of the fight.

As some of the klansmen broke away from the fighting mass, they shouted, "we're coming back,—10,000 strong."

8-31-23

"All right," came the answer, "we'll be waiting for you—20,000 strong."

Trouble Expected.

The klan meeting had been advertised widely. Chief Tonneson took special precautions against possible trouble as the result of a somewhat lesser disturbance at a klan meeting several months ago. He stationed uniformed patrolmen and plain clothes men on the inside and outside of the hall and at several other points in the vicinity.

The klansmen gathere soon after 8 o'clock, donned their robes and began their ceremonies. Soon little groups began to form in front of the building, the number being augmented until it was estimated that 5000 persons were in the crowd. Men in the front ranks demanded admittance to the hall and when they were refused the fight began.

Chief Tonneson declared, after quiet had been restored, that he knew the instigators of the trouble and promised the arrest of prominent Perth Amboy men.

By the time a squad of State police arrived Chief Tonneson and his men had regained control of the crowd. A number of the klansmen were still in the building, however, and Chief Tonneson had a patrol wagon backed up to the door of the hall. A double line of patrolmen protected the klansmen while they walked to the wagon. As the vehicle moved away several men followed it and threw stones.

Meanwhile every doctor and druggist in the city was busy bandaging heads and treating other wounds received by members of the police force, the klan and oppositing faction. Although several shots were fired in the three hours of violent fighting, some from the attackers, police asserted, there was no report of any one having been hit by a bullet. It was believed that none had been injured seriously.

As midnight came the crowd still hung on about the building, the police put away their pistols and both sides settled down for an all-night vigil.

Quiet Short Lived.

The quiet lasted only for a short time. Three automobiles in which policemen were escorting klansmen away from the hall were surrounded by the crowd and one of the cars was overturned. The occupants were given a severe beating. The other cars got away, but one of them soon was met by another crowd. This car also was overturned and its occupants beaten.

The patrol wagon which had started away earlier with a number of the klansmen was met on the road leading to Sewaren, five miles from here, and the passengers were taken out and given a beating.

The roads leading into Perth Amboy late tonight were clogged with thousands of automobiles carrying residents of other towns who had heard of the fight. The first squad of State troopers was soon reinforced by others and they managed to drive the milling throng back one block from Odd Fellows' hall.

It was estimated that 150 klansmen still were in the hall and the crowd refused to move until they had been driven out.

Riots—1923

Missouri.

CALL FOR TROOPS FOLLOWS KILLING NEAR PARMA, MO.

Plantation Shooting Leads To Fear of Outbreak; Officer Held

Associated Press Report.

PARMA, Mo., April 23.—State troops from Bernie and Campbell, nearby towns, arrived here today to preserve order following reports that trouble was feared between whites and negroes as a result of the shooting of a negro workman named Keaton in a plantation shack near Parma last Friday night.

Herbert Breeze, a former justice of the peace, is under arrest in connection with the shooting. The negro died Saturday after being removed to a hospital.

Breeze was taken into custody after automobile tracks outside the door of the negro's shack were traced to his home. An impression of the tracks outside the shack and those made by the Breeze car are identical, said Sheriff Roscoe Walker of Stoddard county.

Following the death of Keaton negroes in the district gathered here Saturday afternoon, and at that time Sheriff Walker said, he believed race trouble was imminent and he made an appeal to Governor Arthur M. Hyde for troops. The sheriff declared tonight that since Saturday there had been no indication of impending disturbances and that he thought the authorities have the situation well in hand.

The importation of negro labor is said to be the foundation for the situation. Several cotton planters in the locality had imported negro labor. Other white planters objected, and the shooting is said to have resulted. About 150 negroes have arrived in the community in the past two weeks and more are expected. County officials expressed the belief that the shooting was staged in an effort to scare off further immigration of negro laborers following the shooting of a negro workman last week. The sheriff asserted that he had asked Governor Hyde to dispatch national guardsmen to the town.

Sheriff Walker declared that no disturbance had been reported at Parma so far but said that he anticipated trouble. The shooting is said to have taken place Friday, the cause being unknown. The negro was killed.

GUARDS MOBILIZED

ST. LOUIS, April 22.—A company of the One Hundred and Fortieth Infantry, Missouri National Guard, stationed at Bernie, Stoddard county, has been mobilized and is being held in readiness if needed in the vicinity of Parma to preserve order, according to Adjutant General Raupp.

Parma is 190 miles south of St. Louis. The town is located in a community where many negroes are employed in lumber camps.

Raupp said he had received advices from Major Thrower of Kennett, an officer of the National Guard, who was sent to Parma, that the situation there was quiet and that troops may not be needed.

Bernie is four miles from Parma.

FEELING HIGH; RACE TROUBLE IS FEARED

Killing of Negro Creates Excitement; Guard Company Mobilized

BLOOMFIELD, MO., April 22—Sheriff Walker, of Stoddard county, tonight said there was intense feeling between the negro and white population at Parma, a small town in New Madrid county, and that trouble was feared.

Riots – 1923.

Louisiana.

SHERIFF ORDERS TEAR GAS BOMBS TO ROUT RIOTERS

Shreveport to Prepare for Possible Outbreaks in Future.

Shreveport, La., Dec. 9.—Orders for a supply of police grenades containing tear gas have been placed with a Chicago munition firm by Sheriff Hughes and Public Safety Commissioner Stringfellow. The use of the bombs, it is stated, will facilitate the capture of criminals, breaking up questionable houses, gambling dens and vice places, dispersing mobs and stopping fights and riots.

Chicago Tribune 12-10-23

Riots – 1922

Kansas.

RACE RIOT WAS COSTLY

The jury in the case of Fred Kelley, who sued the city of Independence, Kansas, for $24,865 for injuries received at the time of the race riot at Independence, in December, 1920, returned a verdict last Saturday awarding Kelley the sum of $15,000.

Topeka Kansas Journal 2/3/22

HOUSTON RIOTER OUT

ONE OF THE 65 AT LAST GETS PAROLE

The Guardian 12/16/22 Guardian, Boston Mass.

Leavenworth, Kan., Dec. 9, 1922.—The first release, either by pardon or parole, of any of the 65 soldiers confined in the federal penitentiary for participation in the Houston race riot four years ago, was made Sunday, when Ward Lindsey, under a 10-year sentence was admitted to parole. A telegram from the department of justice was received by Warden Biddle, stating that Lindsay's parole papers have been signed and returned to Leavenworth.

Riots – 1923.

Indiana.

TWO ARE KILLED IN BLANFORD RIOT

1-30-23

Sheriff Harry Newland and an Unidentified Man Are Wounded in Battle Waged in Indiana.

Blanford, Ind., January 29.—An investigation into a report of an outbreak of the race troubles existing here resulted in a riot early today during which two unidentified men were shot to death and Sheriff Harry Newland and an unidentified man were wounded.

Acting on a report that persons had fired at two negroes, proprietors of a store here, Sheriff Newland gathered a large force of deputies and visited the section near the store. The officials entered a dance hall nearby where a celebration was in progress by foreigners. The celebrators set upon them and shooting became general. Two of the dance hall patrons were shot to death by the deputies and another seriously wounded. Sheriff Newland received a bullet wound in the shoulder.

It could not be learned whether an additional action regarding the local situation was contemplated by Governor McCray. The governor last week ordered officials of the national guard to investigate the race trouble here when all negroes were ordered to leave town by the white residents, following an attack on a white girl. The negroes who were fired upon were two of the few who did not leave town.

girl was not captured and the majority of the negroes fled. A few remained, it was said, to dispose of their property.

THREE DIE IN BLANFORD RIOT

The Chicago Daily News

Sheriff and Wedding Guests Battle After Attack on Negro.

[*By The Associated Press.*]

Blanford, Ind., Jan. 29.—Three persons were killed near here early to-day and several were wounded when Sheriff Harry Newland attempted to investigate the firing of several shots at two negro storekeepers. Chicago Ill

When Sheriff Newland and his deputies entered a dance hall where a wedding had taken place earlier in the evening the crowd started an attack and one of the merrymakers opened fire on the sheriff's party. The dead are: Mike Yarich, Ban Stupar, miners of Blanford, and Meli Obradovich, living near here. Sheriff Newland was wounded in the shoulder. 1-29-23.

The firing of the shots at the negroes was said to have been an echo of the trouble which started last week, when the citizens of this town warned all negroes to be gone by noon last Wednesday unless the negro who attacked and 11-year-old girl was turned over to them by that time. The man who attacked the

Riots—1923
Houston Post Houston—Tex.

Financial Liability for Lynching

The city of Chicago last week paid to relatives of the victims of the 1919 race riots in that city a total of $20,000. Claims for $80,000 more have been approved and others are pending which will probably bring the cost of the riot to $500,000. 1-8-23

The payments are made under an Illinois law making municipalities liable for reparation to relatives of victims of lynchings or riots, which occur within their jurisdiction.

The Dyer bill had a provision making counties liable to a fine of $10,000 for each lynching. That provision aroused much antagonism to the law. By many, it was regarded as unconstitutional, and it was rather generally believed to be something entirely new in the way of remedies for suppressing mob violence.

As a matter of fact, the first to propose the principle of financial liability of counties for lynchings was former Governor James Stephen Hogg of Texas, perhaps the greatest advocate of States' rights Texas has produced, and the inveterate enemy of lynching and all forms of mob violence.

The governor made the proposal of holding counties financially liable in a message to the Twenty-third legislature of Texas, dated February 6, 1893, which was called forth by the burning of a victim by a mob at Paris.

The very first provision in the proposed anti-lynch law was one regarding financial liability, and read as follows:

> "That when any person, being a prisoner, or in a jail or other place of confinement, or under arrest or in official custody or restraint, or is held by or under the authority of any county, city or State officer, or is restrained by virtue of any legal process, shall be taken from such place or authority in violation of law and put to death, the county within which such person was so held or confined, and from which he may have been so taken, shall be liable to pay a specified large sum to the surviving husband, wife, children or parents of said person who shall so suffer death."

Other provisions in the proposed law made the county liable when any person not a prisoner was mobbed by two or more persons, and the said criminals were not within a specified time indicted and prosecuted for their crime; making liable persons or corporations, which participate in, aid, encourage or abet lynching; and making the sheriff ineligible to hold office and providing for his removal from office, when a prisoner is taken from him and put to death by a mob.

Governor Hogg thus made the principle of reparation to the survivors of mob victims and the liability of counties perfectly clear, and obviously, the legislation that has been enacted in other States along this line, and the Dyer bill itself, follows his recommendations to the Texas legislature closely.

The purpose is simply to add to the legal and moral force for the restraint of mob lawlessness, the economic force, which in such cases, is perhaps the most powerful of the three.

Financial liability of counties for lynchings would bring directly home to the taxpayers, who are also voters, the evil of mob violence. It would bestir the so-called "better element" in every community to put a damper on the passions of the reckless, the vicious and the bloodthirsty in times of stress. It would educate public sentiment to the necessity for making the law supreme, because no county would tolerate conditions that penalized it unnecessarily.

If that Texas county, for instance, which was the scene of seven lynchings last year had paid $10,000 for each lynching, the mob fever would have been effectually cooled when the treasurer made his report and the tax collector made his demands.

Whether the Dyer law is ever accepted or not, the Hogg proposals ought to be incorporated in law in Texas. The legislature could not do better than go back to Hogg for guidance in framing an effective anti-lynch law for this State.

Illinois.

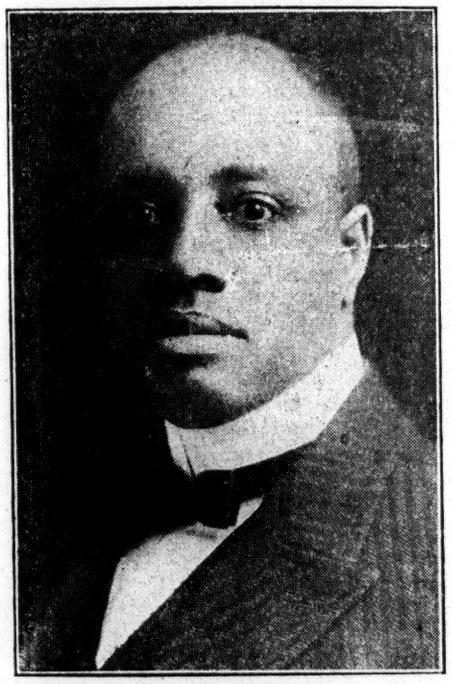
COST OVER HALF MILLION

12/30/22.

Chicago's Race Riots—The Illinois Mob Violence Act, or Anti-Lynching Law, THE CAUSE.

The Gazette—Tex.

Chicago, Ill.—The 1919 race riots will cost this city more than $500,000 in addition to its share of the expense of maintaining 6,000 state troops nine days, it was estimated, last week Thursday, after eighteen death claims aggregating $81,000 were approved by the city council's



Hon. Edw. Greene.

finance committee. The city previously had paid $20,800 for five other deaths. Fifteen death claims remain unsettled. Damage to property was not included in the estimated figure of $500,000. During the riots, according to an investigating commission, 543 persons were injured, among them 178 whites.

Illinois' mob violence act, or anti-lynching law, was patterned after Hon. Harry C. Smith's Ohio mob violence act, or anti-lynching law, and is largely a copy of the latter. It is under that law that the more than half a million dollars damages for injuries and deaths have been secured. Hon. Edw. Greene is the "father" of Illinois' mob violence law.

BOTH RACES CLASH IN CHICAGO

Police Reserves Held Ready for Rioting Following Score of Fights

CHICAGO, June.—Heavy forces of police reserves were held here to be rushed into Chicago's black belt where white and colored men have clashed a score of times in the last twenty-four hours. Prompt work of the authorities was believed to have averted serious race rioting.

Unrest among the colored people was increased by the shooting of Edward Perdu, a gunman, by police and deputy sheriffs. The man fired upon the officers when they entered a saloon. He was shot down.

O. W. Wilson, manager of Radio Inn, a notorious "black and tan" resort, ran amuck. A hundred guests fled to the street while Wilson emptied his revolver at the platform where the orchestra had sat. Throwing away his empty gun he wrecked the place. A riot squad overpowered him.

Joseph Banks and John Perkins, gunmen, were arrested while exhorting a crowd to attack the police.

CHICAGO.—Sporadic racial outbreaks occurred here Monday as the result of week-end shootings in the "black belt," where two were killed by a policeman and a vice investigator.

Morris Cohen, a white man, was stabbed in the back by a Negro in a restaurant. The assailant fled. T. C. Lambrecht, white, and Lee Anderson, Negro, both employes of the Illinois Athletic Club, engaged in a fight over the "black belt" situation. Lambrecht was badly beaten and Anderson arrested.

The "black belt" trouble was ascribed by police to the vice crusade against resorts and gambling houses in the section.

Nearly a hundred extra policemen were sent to the district by Chief of Police Collins Monday.

Conflicting stories regarding the reason for the police activity were afloat. Among the leaders of colored church congregations the explanation was advanced that the city administration had determined to clean up the south side because several inisters and social workers had protested to the city hall against vice conditions.

The city administration was also said to have promised that certain evil resorts would be closed and that so-called gambling kings who have gained strong political power would be suppressed.

Two Fights in Loop

Six waiters and colored porters employed at the Illinois Athletic Club, 112 South Michigan avenue, engaged in a fist fight in the employes' dressing room as a sequal to the discussion of some club rules governing their conduct. Lee Anderson, colored, 24 years old, 4349 Prairie avenue, was arrested by a policeman summoned from a nearby corner.

A short time later another call was sent to the police when Morris Cohn, 37 years old, a porter, was stabbed in the back of the head by a colored porter in the Weeghman restaurant at Dearborn street and Jackson boulevard, where both are employed. Cohn was taken to the Iroquois Hospital. The other man escaped.

Mrs. Esther Dillard, colored, 25 years old, 2212 South Dearborn street, was accidentally wounded in the arm when a revolver dropped by Samuel Moraine, 518 West Seventy-ninth street, was discharged in the Yellow Cab Company garage at 57 East Twenty-first street.

RACE CLASH IN CHICAGO

Chicago, June 17.—Heavy forces of police reserves were held tonight to be rushed into Chicago black belt where whites and Negroes have clashed a score of times in the last twenty-four hours. Prompt work of the authorities was believed of have averted serious race rioting.

Unrest among the Negroes was increased by the shooting of Edward Perdu, a Negro gunman, by police and deputy sheriffs. The Negro fired upon the officers when they entered a saloon. He was shot down.

Early today O. W. Wilson, Negro manager of Radio Inn, a notorious "black and tan" resort, ran amuck. A hundred guests fled to the street while Wilson emptied his revolver at the platform where the orchestra had sat. Throwing away his empty gun he wrecked the place. A riot sq iad overpowered him.

Joseph Banks and John Perkins, Negro gunmen, were arrested while exhorting a crowd of Negroes to attack the police.

RACE RIOT IS FEARED IN CITY OF WAUKEGAN

Tension Follows Freeing of Alleged Attacker of Girl.

WAUKEGAN, Ill., July 2.—The northern section of this city was under heavy police guard here today as the result of rumors that a race riot was [illegible]. The action of [illegible] Eugene Cooper, 21-year-old negro, who had been apprehended and charged with having attacked a 12-year-old white girl.

The [illegible] when a negro [illegible] grove alongside and threw his arms around her. Her screams brought several white men and the negro fled. The police later arrested Cooper but he was released when the father of the girl refused to prosecute.

NEGROES BATTLE; 200 LOOK ON

Squad of Police Prevents Riot in Struggle for Revolver.

Two hundred persons, both whites and negroes, threatened to riot this morning when they gathered in front of 817 South Clinton street to watch two colored men fight for the possession of a revolver. The crowd was dispersed only when a squad of policemen from the Maxwell street station arrived and arrested Irvin Lytle, 34 years old, 817 South South Clinton street, owner of the revolver.

The police received a call of a fight at the Clinton street address and Patrolmen Thomas McCaffrey, Peter Hogan and James Cleary, the "flivver" squad, were sent. Arriving there they found a crowd of persons watching the two men, rolling on the street struggling for the possession of a revolver one held. The policemen pushed their way through the crowd and after several minutes succeeded in reaching the principals. As they did Lytle arose and leveled his revolver at Patrolman McCaffrey.

The latter lunged for Lytle and knocked the weapon from his hand. Lytle and his opponent, Grant Turner, 1118 South Canal street, were taken to the Maxwell street police station. There Turner told the police he owned the building where Lytle lived and that he had gone this morning to collect the rent. After some argument, he said, Lytle drew a revolver and threatened to shoot him.

FOMENTING RACE RIOTS

WE BELIEVE THERE IS NO ONE FACTOR in all of the big city of Chicago that is doing more to foment racial disturbance, rioting and ill-feeling between the white and black citizens than the Chicago Tribune. Instance after instance can be pointed out where without warrant it has spread across its columns editorial and news fiendishly attacks on our group as a whole, based on some alleged overt act of a single member. It played a most important part during the rioting season in Kenwood and Hyde Park in creating public sentiment to suit its warped, prejudiced views.

THE FREEDOM OF THE PRESS certainly could not be construed to mean that a newspaper has the right or privilege to encourage or suggest the nullification by a certain group of citizens of any one of the amendments to the federal constitution. Many hold that such a thing is treason. But this we find in the editorial columns of the Chicago Tribune of June 19:

"IF THE WHITES of the South are to live the way they want to live they must disregard the fourteenth and fifteenth amendments of the constitution. If they did not nullify them they would have an entirely different life and one they would not tolerate. * * * The whole attitude of the country confesses that a mistake was made in the fourteenth and fifteenth amendments. * * * The man in the South who does not want a black man to vote, and sees that he does not, is untainted of disrespect for the constitution and has no contempt for American law."

VARDAMAN, BLEASE, HOKE SMITH and Southerners of their ilk could not give expression to more niggardly thoughts. Still they surprise no one who reads the sheet. The only wonder is that a paper claiming to be so great could stoop so low. Read any time the account of an affray in which a Colored person figures, even in a minor way, in the "World's Greatest" (?) and then turn to any one of our other dailies and get its version and you will, in most instances, find the Tribune's story punctured with race venom and the facts distorted.

MAYOR DEVER, Chief of Police Collins, the vice commission and all other uplift organizations if they really want to get at the root of our too frequent racial disturbances, might with profit turn their attention to the columns of the Chicago Tribune, where apparently an insidious propaganda to deprive Colored people of their God-given rights and privileges is constantly going on.

Riots — 1923

Illinois.

THE HERRIN ACQUITTALS

International Interpreter

2/3/23

HIGH feeling in a community where a criminal trial is being carried on almost inevitably hinders justice in one way or another. The difficulty in getting a jury to convict those indicted for the murders at the strip coal mine near Herrin, Illinois, has been about equal to the difficulty in getting a jury in Arkansas fair enough to acquit Negroes if they were innocent. When a whole town or county has decided in advance the question of the guilt or innocence of those indicted, or at least the expediency of declaring the accused guilty or innocent, regardless of the facts brought out, a jury hardly dares at present to act contrary to this public opinion. Thus it is now said that the Herrin cases yet to be tried may be dropped because of the acquittal of the first five defendants.

New York

What is the remedy for a situation of this sort? Under pressure of excitement, people may swear almost anything in court. During the Salem witch trials, small children, their mothers, and supposedly irreproachable clergymen built up a tremendous illusion by swearing that they had seen some of their intimate neighbors appear and disappear suddenly on the roads and in the fields, take the guise of the devil himself, and cause cattle and people to do all sorts of strange things. The testimony offered at such trials as those in Herrin and in Arkansas is not far different from this. On the basis of what is thus utterly unreliable men are quickly sentenced to death or set scot free, no matter what the facts may have been. The sole remedy for such miscarriages of justice is more calmness and impartiality in the examination and weighing of evidence, and this in many instances can be attained only by the removal of the trials from the communities where the crimes were committed.

Yet suppose the Herrin trials were to be conducted, say, in Chicago. The public there would need to support them by a demand for absolutely unemotional justice, swayed not at all by considerations of the union status of the defendants. It is the whole public that must be fair, if the courts are to be just. Is any community prepared to be impartial when it allows itself, or a part of itself, to become so excited over prohibition, for instance, as to demand "personal liberty" for the enjoyment of intoxication? Intoxication is of various kinds, and unfortunately people, either individually or in mobs, cannot believe that they must have freedom to drink, regardless of the law, without believing that they must also have freedom to fight and to kill on occasion, especially when the object which thei intoxicated sense of freedom pursues is a Negro or a strike breaker. Chicago, apparently, might afford no more real justice than Herrin itself.

If trials are to be removed, then, from the scenes of the crimes, it should be to cities or towns but little concerned with the issues. Wherever a criminal trial is held, the emotional side issues ought to be minimized in the published accounts of the testimony and the arguments. Third degree methods, either in the preliminary examination of the accused and the witnesses, or in the questioning of these on the stand in court, should be entirely eliminated. Rewards of money, position, or preferment of one kind or another, for false testimony must be found out and punished. In Herrin there was apparently a tremendously organized campaign to set the accused free, merely on the ground that the right of union labor to strike should be preserved. This, however, was not the main issue in the cases, and the plain fact that non-union men were taken out and deliberately killed, after they had been granted safe conduct, certainly should not be confused by irrelevant sympathies when the next cases come up.

The many others indicted in connection with these Herrin murders should be brought to trial as speedily as possible. It may be too much to hope that the various wrong practices already spoken of, which have marked criminal trials in almost all times, may be overcome now in the Illinois of the twentieth century. Learning by experience, however, Herrin ought at least to demand better and less emotional trials hereafter than the one just completed. If some measure of justice is not accomplished, Herrin may stand in future as a symbol of unremedied persecution of non-union workers as Salem remains the symbol of the witchcraft delusion. In Salem, any one suspected of being a witch was considered to deserve the worst which the community could devise; in Herrin evidently the massacre of those looked upon as strike breakers is legitimatized with the same sort of fury. Union labor cannot afford to jeopardize the respect which it is so steadily winning by condoning any such futile passion.

Freedom to shoot down strike breakers, merely because they seem obnoxious to union men, and to escape the penalties of the law, is certainly not real freedom, any more than license to drink alcohol or use peyote is really personal liberty, regardless of the "beautiful states of mind" thus induced. It is possible that a mob considers its frenzy very fine and enjoyable indeed. That sort of rage, however, will not win friends to the cause of Labor, but will tend to alienate many, as the drug orgies of Hollywood are helping to alienate many from the "movies". If a whole organization or community allows itself to become intoxicated with passion, then the state needs to take hold of the situation, as it does when any ordinary madman runs wild. The arrangement of the world into larger political units is partly for the purpose of avoiding such outbreaks of madness and uncontrolled desire generally. The people of Herrin will do well, then, to realize that a massacre in Illinois is as bad as one in Turkey.

THE HERRIN ACQUITTALS.

Montgomery Advertiser

No informed person expected much good to come out of Herrin, Illinois, where a roomful of suspected butchers were on trial for their lives.

Jan, 26, 1923

There is a fundamental reason for this probable miscarriage of justice. That fundamental reason is that the rank and file of Herrin citizenship is no better than the men who were on trial. That citizenship applauded the butchery committed by whoever it was that killed the men who were at work without a "card." It stood on the streets and highways and exulted in the death of the victims. Some of their number, among them women, heard the dying cries of the wounded, who begged for water to sooth their parching lips—and did not give the dying drink. Instead, they kicked the dying and helpless and spat in their faces!

That's Herrin all over. The trial ended in a farce, but it was probably the best that could be done. The State needed a change of venue, but the State hasn't that privilege under our system. The better element of Illinois citizenship deplored the butcheries and demanded punishment of the guilty. But the better element of Illinois does not constitute any considerable section of the Herrin populace.

Instead of hanging the men who killed their fellows for the offense of working for a living, Herrin may now turn in and elect the suspects to office, or raise a stone monument to them.

Russia and Mexico have difficulty in understanding our American point of view about anarchy in other countries. Illinois's recent history but serves further to confuse and perplex the bolshevists and the greasers. There isn't a community in either Mexico or Russia that doesn't compare very well in ideals and practica morality with Herrin, Illinois, a community not far removed from the centre of America!

Crime Unpunished Is Crime Encouraged.

Commercial Appeal 4-9-23
Memphis

At Herrin, Illinois, the other day a second group of men accused of participating in one of the foulest massacres in the history of the country was acquitted just as a first group had been. The verdict of the jury so disheartened the prosecutor that he recommended the quashing of the cases against the others under indictment. The crime that thus goes unwhipped of justice was the slaughter in broad daylight of over a source of non-union miners for no other reason than that they exercised their right of engaging in employment. The victims were seized, tied together as so many cattle and shot down as cold bloodedly as if they had been maddogs.

The previous day another jury in the neighboring state of Michigan was unable to agree on the guilt or innocence of a radical communist whose own written words proclaim him an enemy of the government. He was accused of being one of the leaders in a meeting of communists where the overthrow of the government by violence was urged. This meeting was held also in broad daylight so that it will seem to the ordinary person as if identification of the guilty in both instances should not have been a very difficult task.

And only a short time previously a grand jury in the state of Louisiana refused to return indictments against men whom eye witnesses accused of being a part of a masked band that seized two men who have never since been seen, but whose bodies taken from a lake were identified. This last crime was committed at night, but there was direct evidence concerning the members of the band.

These three outrages going unpunished one upon top of the other, would be dispiriting enough if the crimes had been casual offenses against particular individuals. But they were much worse than that. They were in two of the cases deliberate, cold blooded attacks, not only upon the victims, but also upon the existence of law and order and organized government. In the third case there was a conspiracy to overthrow government more directly even than by ignoring its lawful processes. It is bad enough to think of the grinning skeletons of those murdered crying mutely for justice, but it is infinitely worse to contemplate the fact that organized government is unable to do a single thing in the way of protecting its existence.

We know that crime unpunished is crime encouraged, and yet we wonder when we read statistics why there should be so many and so varied instances of criminal outbreaks. The failure of three states of the union to assert their honor and integrity will be the cause of other states suffering similar humiliation.

DISGRACING ILLINOIS.

Williamson county, Illinois, has become the "black hole" of civilization.

All of the untried criminal indictments growing out of the tortures and massacres at Herrin that shocked the conscience of the world last June have been nol-prossed at Marion, following the acquittal by a jury of six defendants charged with murder in connection with the outbreak.

The motion to nol-pros was made by Delos Duty, the state's attorney. Following this motion the special assistant attorney general of the United States, assisting in the prosecution, said:

"The prosecution is reluctantly obliged to admit justice can not be obtained in Williamson county. No impartial jury can be obtained to try the men responsible for the murder of a score of men at and near Herrin last June.

"It is my opinion that further trial would be useless, result only in acquittals and continue the check-off from the wages of some 90,000 industrious men, many of whom are strongly opposed to murder. It would further jeopardize the lives of courageous and honest witnesses who have testified for the people of the state of Illinois, solely because of their respect for law and order."

The jury was out seven hours, but took only one ballot, being unanimous for acquittal on that ballot, despite the testimony alleged to have been direct and unmistakable.

This was the second trial of a group of the defendants, the first group having been as promptly and as unanimously acquitted as the second group, hence in the face of testimony, the prosecuting attorneys, including even an assistant attorney general of the United States, had to admit the absolute failure of the judiciary to function—the complete surrender of courts to the spirit of Inquisition.

Georgia has had its mobs, and mob violence, with its horrors of the limb and the stake, has literally shocked the country; and justly so. From Chicago and from all over Illinois the voice of protest has been sounded the loudest, and no protest at mob murder can be too loud.

It is up to Illinois to clean her own house before pointing the finger of rebuke at Georgia or any other state where the mob defies the law.

The history of crime in America does not record a blacker page than the story of the Herrin riots and massacres. Innocent, helpless people, not even associated with either of the contending labor elements, were tortured in a manner that would be worthy of head-hunters, and crucified in a manner as horrible as in the days of the continental revolutions of the dark ages; and yet the crimes are condoned and implicitly approved in a court of misnamed justice, and the murderers are freed and herolzed by men sworn to preserve the integrity of the law.

Illinois has been on trial before the jury of civilization; and in the acquittals at Herrin, Illinois has been convicted.

ONE NEGRO INJURED IN CLASH WITH WHITES

Construction Camp Workers Battle Near Worth, Ill.

CHICAGO, July 30.—One negro was injured and six were arrested as a result of shooting in connection with a fight between negroes and white construction camp workers at Worth, Ill., a suburb of Chicago, Saturday night. Numerous shots were fired, but none was wounded. One negro was hurt when struck on the head with a revolver. Reports that one man was killed and others wounded were without foundation, according to the county highway police.

The shooting started, county police said, when a group of negroes tried to seize a gasoline railroad "speeder" to go to a dance several miles away. County police said there had been previous disturbances between negroes and whites at Worth, but none so serious as Saturday night's clash.

Negroes Snatch Wives from Arms of White Husbands at Dance; Fight Ensues

Memphis Commercial Appeal 7-30-23

CHICAGO, July 29.—One man is dead two county highway policemen are believed dying and two other men are known to be seriously wounded as the result of a fight at Worth, Ills., between 150 negro construction gang workers, citizens and policemen early this morning according to the Chicago Herald Examiner.

Fifty of the negrose who occupy a camp just outside of Worth, at midnight invaded a dance hall in Worth where a community dance of whites was in progress. The negroes, armed with knives, razors, revolvers, chose as partners the white women, taking wives from the arms of their husbands says the Herald Examiner. All resistance on the part of the whites was met with oaths and threats of death, says the newspaper.

The screams of the women as they were snatched from their partners by the negroes, were heard by officials of the village. When they entered the place the negroes bgan firing. Additional help was summoned and when they arrived a general fight started. The negroes retreated toward their camp and when they arrived there were reinforced by 100 other negroes and the police called for further aid. More than two hundred shots were exchanged and there was a hand to hand fight before the negroes were overcome.

Riots — 1923.

Georgia.

REPORT NEGROES DRIVEN FROM GEORGIA TOWN

Baltimore Herald

and Commonwealth

Deprived Of Homes, Dying of Exposure, Starving, According to Letter From Chattanooga, Tenn.

3-7-23

The National Association for the Advancement of Colored People, today made public portions of a letter received from a person actively connected with the Methodist Episcopal Church in Chattanooga, Tennessee, in which startling charges are made of the driving out of Negroes from Georgia towns, and confiscation of their property including houses, automobiles, crops; and the death of numbers of he fugitives from exposure and hardships suffered on the flight. The name of the writer which is signed to the letter is withheld because it is feared the person's safety would be endangered were the name made public.

The letter says in part:

"For the last month or two the white people have been putting the Negro to flight out of several towns in Georgia—about the time their crops were ready for gathering they began—some were run away from home with their crops standing in the fields ready to gather—hence white people went to their houses and gave them notices to leave in so many days and on other instances notes were written and signed by, as indicated, K. K. K., and intimidated them so that lots of them left their homes furnished just as they were while they were at home. Some with their houses cleaned up, beds made up and everything done as though they were at home—they left their homes with nothing but what they were wearing and a suit case and sometimes not that.

"One family had to flee through the rain, snow and cold, wade and swim the streams and at last arrived here in Chattanooga for everyone of that crowd to die except one, in less than two months, from the exposure they received in making their escape fro mtheir pursuers. One man who had a nice automobile drove up to a filling station where he had always lived, to have his car filled, the man in charge asked him who the car belonged to, and he replied that it belonged to him. The oil man ordered him out of his own car saying that it no longer belonged to him—telling him that he got no oil from that station to move a car that belonged to him, and told him to leave the country. For weeks it was a most pitiful sight to see people travelling over this city by droves almost—through the rain and cold—with little bundles, suit cases, early in the morning and late at night, forlorn, hungry, cold and nowhere to go. They sleep anywhere they could get to sleep and eat anything they could get—an organization contributed towards their food for several weeks.

"Several hundred of these people settled here in Chattanooga and its vicinity, mostly in South Chattanooga. Athens, Ga., almost all the colored people were run away and they were run out of Jesup, Ga., around in the neighborhood of northern Georgia, near Summerville, and Fafayette, which is near the line of Chattanooga.

RACE RIOT NEAR IN SAVANNAH, GA

The Constitution

Atlanta, Ga.

Savannah, Ga., August 27.—A number of white men in three automobiles drove through East Savannah, a negro settlement, firing into houses early this morning. One negro is reported dead, one seriously wounded, and several slightly injured.

SAVANNAH NEGRO HOMES SHOT INTO

The Montgomery

White Men in Autos Invade Settlement, Killing and Wounding Blacks

Advertiser

SAVANNHA, GA., August 27.—A number of white men in three automobiles drove through East Savannah, a negro settlement, firing into houses early this morning. One negro is reported dead, one seriously wounded, and several slightly injured.

8-27-23

More than one hundred shots were fired from three automobiles into the homes of the negroes. County policemen, who were rushed to East Savannah, have been able to learn that the men in the cars were white.

CONVICTED SAVANNAH RIOTERS APPEAL CASE

Atlanta

Savannah, Ga., October 21.—(Special.)—Certiorari proceedings have been signed by Judge Peter W. Meldrim, it is announced today, transferring from the city court to the superior court cases made against C. B. Humbert, J. L. Humbert, J. T. Alexander and Gordon Shuman, alleged to be implicated in proceedings leading to their arrest in the riotous demonstration about the Chatham county prison last June, when a mob attempted to take Walter Lee, negro, from the jail and lynch him. Several were arrested for alleged inciting to riot. The four named were tried and found guilty, appealed for a new trial and were denied in the city court. The appeal is taken now to the superior court.

10-22-23

Riots—1923
See Also: Lynchings,—Cases of

Florida.

Hero Of Florida Riots.

Justifying the mob in the Florida riots last week, the Gainesville, Daily Sun, white said editorially that even if Congress passed a Dyer Anti-Lynching Bill the time would never come when Southern white men did not lynch white and black who committed criminal assault.

Strangely enough the hero of the riots, was a black man 60 years old who was not charged with assault and who was lynched. Afro American 1-19-23

James Carrier was in the house the mob tried to enter seeking the supposed rapist. "He said this house is my castle, and you enter over my body." The mob did not enter. It laid siege and two of them were killed, some hurt. A few blocks away 300 colored mill workers were carefully guarded and threatened to keep them out of the riot. Baltimore Md.

In the defense of his home Carrier's brother and sister were both killed. Later after he had been caught, the mob took him to the newly-made graves of his relatives and promised him immunity if he would tell who helped him protect his home. He would not tell.

The mob threatened, it tormented, he would not tell. They stood him on his sister's grave and threatened to "shoot him to hell." Carrier did not tell and went to meet his Maker saying "I won't tell."

The "Uncle Toms," the South loved are gone forever, and in their place have grown up heroes like Uncle Jim Carrier who died true to his friends and true to his home.

N Y C CALL
JANUARY 7, 1923

Savagery in the South

FOR several days press dispatches from Florida have reported that thousands of white men, armed with shotguns, rifles and revolvers, have prosecuted a clan war against Negroes in general because two Negroes have been charged with commission of a crime. As this is written 20 Negroes have been killed and two whites have met the same fate.

One village populated mainly by Negroes has been burnt to the ground. Whites are besieging Negroes who are barricaded in a house. Reinforcements are reported coming to aid the whites in the effort to exterminate the Negroes. Primitive passions of blood lust are rampant and a complete reversion back to our shaggy ancestors is evident.

These shocking outbreaks of atavism reveal how astonishingly little cultural progress has been made in some parts of the world and they also explain the industrial backwardness and political reaction of the South.

Various religious bodies still collect and spend huge sums annually for the "enlightenment of foreign heathen." Enlightenment, like charity, should start at home and these uplifters have a very inviting field in many sections south of the Mason and Dixon line.

Aged Presiding Elder Tortured And Exiled—Well-to-do and Educated Classes Especial Object of Mob's Wrath— Good Citizenship, No Safeguard, Says Preacher In Letter.

New York.—A letter to the National Association for the Advancement of Colored People quotes the Rev. O. H. Edenburgh, a survivor of the recent burnings and mob outbreaks in Florida, as saying that a number of towns were burned and that the burning lasted for a day and a half, educated Negroes being the heaviest sufferers from the mob. Rev. Edenburgh is quoted in part as follows:

"Stanley Town, a town of more than one thousand colored inhabitants, with only one white man, who lived with a colored wife, was totally destroyed with the exception of the post office and everybody except those who escaped were killed. Here, he said, the Negroes owned stores, banks, and everything just as any other town.

"In these towns, he said, every preacher was whipped, being accused of influencing his people along lines different from what the white people thought wasn't best for colored people to aspire and know—instilling them with new ideas along educational lines and educational conditions and unity—saying that they were growing haughty and rebellious.

"In one town they whipped the presiding elder, Will Burton, by tying his hands and tying him to a tree that he had planted in his yard, which had grown up to be a large tree, three men whipping him with a black snake whip until the whip gave out. Elder Burton was rushed to a hospital in Atlanta, where he was at the this Mr. Edinburgh (was). The white people were running the colored people out of this place, and Elder Burton asked the governor for a state militia for a protection of the Negro. So they heard of it and came to his house and asked his wife for him, but was told he had not returned home. They made several similar visits before he came, telling his wife their intention and assuring her they were not going to bother her nor anything she possessed, but only wanted Burton. So, when he came home the white people did as above described.

"Elder Burton was said to be worth more than $55,000 and had been married to this young wife about a year, and had just bought her one of the most beautiful homes from some white man in the city—paying cash for it; and a few weeks prior to this time had presented his wife with a beautiful thousand dollar car, paying cash for it; but they did not bother anything but Elder Will Burton, who survived enough to be taken to Atlanta after a black snake whip was used up on his back.

"When the white people were busy trying to run the Negro away, some tried to make preparation and leave, but was prohibited during the mob and conflagration by day and Night Riders by night."

RETURN NO INDICTMENTS IN FLORIDA MOB CASES.

Bronson, Fla., March 8.—The special grand jury, which has been investigating the race clash at Rosewood early in January, reported to Judge A. V. Long in circuit court that it had been unable to find evidence that was sufficient to base an indictment on.

The report, however, deplored action of the mob. Judge Long received the report without comment and discharged the body, which has been in session since Monday. Two white men and six Negroes were killed in the clash.

The grand jury's report said that a thorough investigation had been made into the racial clash, but it was impossible to obtain sufficient evidence on which to find indictments. Their inability to obtain such evidence, the report said was regretted. 3/10/23

George Decottes, prosecuting attorney, was praised for his efforts to ascertain the names of those responsible for the trouble.

About 25 witnesses were before the investigating body during its sitting.

The grand jury stated in its report that the incident was regretted, not only by that body, but by the best citizens of Levy county.

The clash between the Negroes and whites occurred the night of January 4, when a crowd of white men went to a house in search of a Negro wanted for an attack on a white girl at Sumner.

Two of the white men were shot and killed by Negroes in the house.

SELECTING JURY IN FLORIDA RIOT CASE

3/29/23

Five Tentatively Selected to Try Nine Alleged Rioters

Montgomery, Ala

(Associated Press)

PALATKA, FLA., March 28.—Five jurors had been selected tentatively in the trial of nine men alleged to have been members of a mob that stormed the Putnam county jail here early March 2, when circuit court adjourned late today. The special venire of 75 was examined and another special venire of thirty-one has been summoned for tomorrow morning. All the defendants pleaded not guilty. One of the principal questions asked prospective jurors by the prosecution is where they believe there is every sufficient provocation for visiting summary punishment on a prisoner. The mob that stormed the jail and shot Sheriff P. M. Hagan in the hand after riddling the building with bullets, sought to remove Arthur Johnson, negro, held for the murder in Gainesville of H. C. Cross, of Albany, Ga., an employe of the state road department who was shot to death a few days previously.

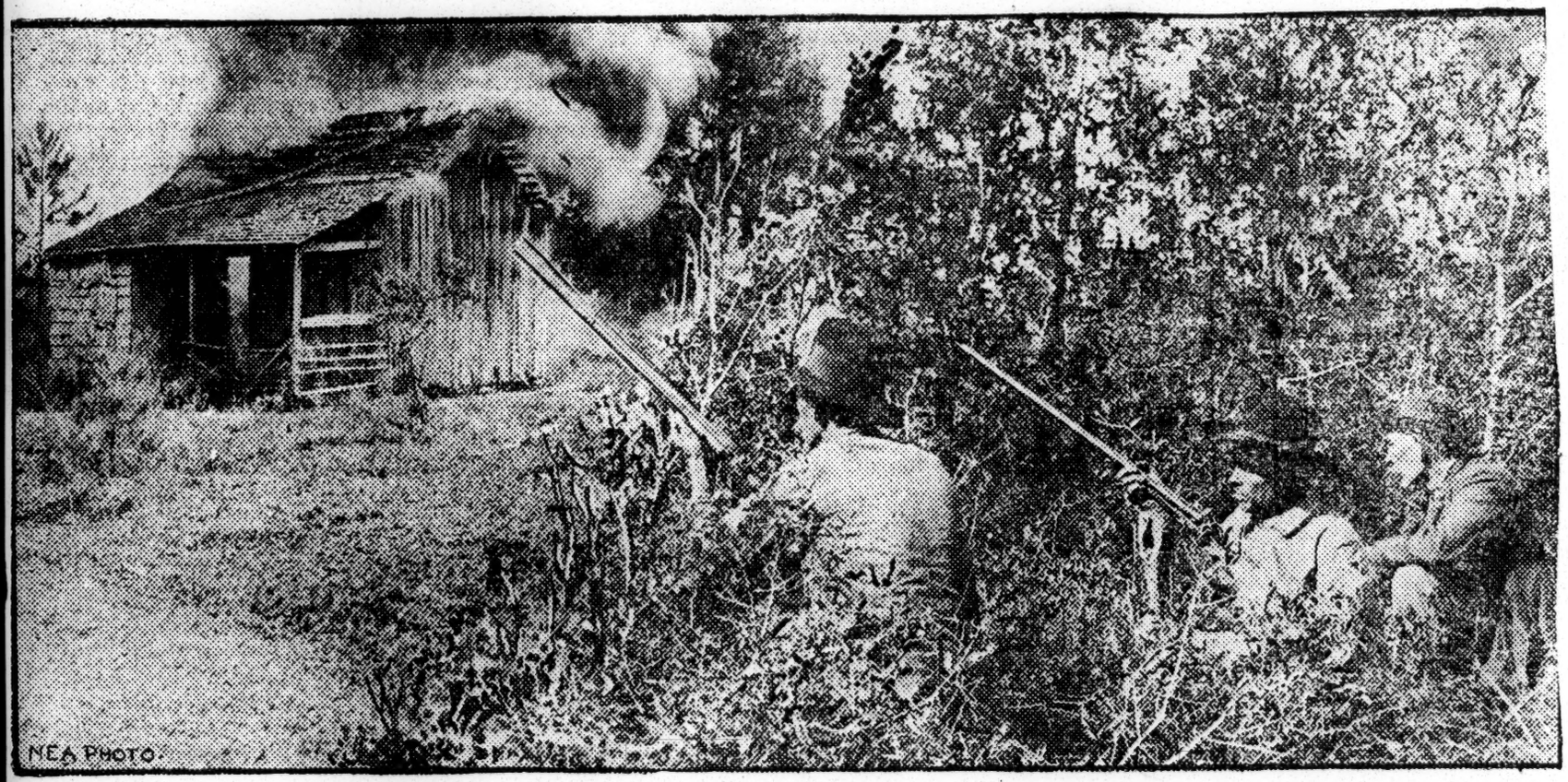
Those on trial are accused of assault with intent to commit murder and firing into an occupied building.

Riots—1923
See Also: Lynchings,-Cases of,

Florida

CORTLAND N Y STANDARD
JANUARY 17. 1923

Whites in Wait for Fleeing Negroes in Florida Race Riot



A posse of whites is shown here, shotguns in hand, waiting for cornered negroes. The burning shack was the scene of the first bloodshed in the race riots in Rosewood, Fla., in which two whites and six negroes were killed. Shooting broke out when whites tried to capture a negro who was suspected of aiding Jesse Hunter, negro accused of assault on a white girl, to escape. The whites, ready to shoot, are C. D. Hudson and C. C. Osteen of Otter Creek and A Alford, grand father of the victim of the alleged assault.

N Y C SUN
JANUA 11, 1923

An Execution and a Riot.

Comparison Between English Hanging and Florida Race Clash.

TO THE EDITOR OF THE SUN—*Sir:* Front page position is given to-day by several New York newspapers to the execution 3,000 miles away of a woman in London who was found guilty of conspiring with her lover to murder her husband in cold blood.

Last week a mob in Florida murdered at least seven American citizens because they resisted invasion of their homes at night by a mob searching, so it claimed for a man accused of crime. Two of the seven were women. Their crime was that their skins were black. So far as I have been able to judge, not one New York newspaper has called attention editorially to the bestial slaughter of these innocent colored women. Yet Americans are shocked at the legal execution of a murderess in England.

Let us put aside any considerations of humanity or decency—the American conscience is no longer shocked by murders at home. The question to be faced is simply this: How long can America get away with it?

WALTER L. WHITE.

NEW YORK, Jan. 9.

The mentions of the execution of a woman in England were not so generally condemnatory as to form a contrast with silence upon the Florida incident. If the race rioting in Florida had formed the first instance of its kind in fifteen years, as did the hanging of the Englishwoman, it would have received even more notice than that grim event. THE SUN expressed its own earnest approval only the other day of progress in the South toward ending mob attacks upon negroes.—[ED.

2 Whites, Many Negr Slain in Florida Fighting

Hundreds of Armed Men Are Awaiting Daylight to Attack Blacks' Stronghold

CEDAR KEY, Fla., Jan. 5 (By The Associated Press).—Two white men are dead, three wounded, an undetermined number of negroes are dead and injured and a score or more of negroes early to-day were barricaded in a house at Rosewood ten miles northeast of here, with hundreds of armed white men waiting for daylight to attack the stronghold.

The trouble is believed to have resulted from an attack on a young white woman at Sumner early Monday. One negro was lynched a few miles from Sumner Monday night when he is said to have admitted he had transported in a wagon for several miles a negro suspected of the crime. Two negro suspects are in jail at Bronson, the county seat of Levy County, and posses are continuing their search for two others.

SIX ARE KILLED IN RACE CLASH

Three White Men and Three Negroes Dead in Outbreak at Rosewood, Florida.

Gainesville, Fla., January 4.—Three white men and three negroes are dead and a number of white and blacks injured as a result of an outbreak at Rosewood, three miles from Sumner, Levy county, late today and early tonight, according to reports received here late tonight by telephone from Cedar Key.

The reports added that the population of Cedar Key was aroused and that many armed men from there were planning to go to Rosewood. The Gainesville Sun was requested to ask Sheriff Ramsey of this, Alachua county, to go to the scene with as many men as possible as it was feared the situation, apparently already beyond the control of the Levy county authorities, would grow worse.

The trouble is believed to have resulted from the assault of a young white woman at Sumner early Monday. One negro was lynched a few miles from Sumner Monday night when he admitted to a mob that he had transported in a wagon for several miles a negro suspected of the crime. Two negro suspects are in jail at Bronson, the county seat of Levy county, while posses still are continuing their search for two others, one of whom, an escaped convict, is believed by Sheriff Walker to have been the actual assailant.

Sumner, a sawmill town, is on the Seaboard Air Line railway about 40 miles southwest of this city. Rosewood is three miles from Sumner and about 10 miles from Cedar Key.

SEVERAL KILLED IN FLORIDA RACE CLASH

Two White Men Dead, 3 Wounded; Negro Casualties Unknown

(Associated Press)

CEDAR KEY, FLA., Jan. 5.—Two white men are dead, three wounded, an undetermined number of negroes are dead and injured and a score or more of negroes early today were barricaded in a house at Rosewood, ten miles northeast of here with hundreds of armed white men waiting for day light to attack the stronghold.

The white men dead are Henry Andrews, superintendent of the Cummer Lumber Company's saw mill at Otter Creek, and Boly Wilkerson, of Sumner

The entire county for several days has been searching for two negroes, one of whom is believed to have assaulted a young white woman at Sumner early Monday. One negro was shot to death Monday night when he admitted to a mob that he had transported one of the fugitives several miles in his wagon. Reports received in Sumner early last night that the negroes wanted were at Rosewood resulted in a party of citizens going to that place to investigate. They found about 25 negroes gathered in a house. Andrews and Wilkerson started to enter and were shot to death without warning. Three other whites were wounded.

Citizens gathered quickly and surrounding the placed began to pour a hail of lead into it. What the casualties of the negroes have amounted to is not known definitely but it is believed many of the bullets found marks.

GAINESVILLE, FLA., Jan. 4.—Sheriff Ramsey, of this, Alachua county, Chief Deputy Dunning and several automobile loads of deputies and armed citizens were preparing at 1 o'clock this morning to leave immediately for Rosewood, 40 miles southwest of here in Levy county, where a clash between the races early last night is reported to have resulted in the deaths of three white men, three negroes and the injury of numerous whites and blacks.

First word of the trouble came from Cadar Key, about ten miles from Rosewood shortly after midnight. Reports of the clash received there, it was stated, had resulted in the arousing of that city and it was declared that many armed citizens were preparing to go to Rosewood. The Gainesville Sun was requested to ask Sheriff Ramsey to start for Rosewood immediately

with as many men as he possibly could get together.

The trouble is believed to have resulted from the assault of a young white woman at Sumner early Monday. One negro was lynched a few miles from Sumner Monday night when he is said to have admitted to a mob that he had transported in a wagon for several miles a negro suspected of the crime. Two negro suspects are in jail at Bronson, the county seat of Levy county, while posses still are continuing their search for two others, one of whom, an escaped convict, is believed by Sheriff Walker to have been the actual assailant.

Sumner, a saw mill town, is on the Seaboard Air Line Railway about 10 miles southeast of this city. Rosewood is three miles from Sumner and about ten miles from Cedar Key.

UTICA N Y PRESS
JANUARY 8, 1923

Reports from Rosewood, Fla., that 20 negroes and two whites have been killed in fighting that followed the efforts of negroes to release one of their number who was a prisoner, again place tragic emphasis upon the brutality of mobs. Once the mob spirit has gripped armed men it is impossible to forecast the outrages that may result. The futility of such killings is as much to be deplored as the spirit of violence that prompts it. When they thus run wild, men are amenable neither to reason nor justice and this latest calamity in Florida is a serious reflection upon the state and its people.

BUFFALO N Y EX
JANUARY 9, 1923

om Rosewood, Fla., we learn: ew grave was dug in the negro tery at Sumner, near here, late and in it Sheriff Elias Walker d the body of James Carrier, e death at the hands of several e men this morning was the el of the clash between the races Rosewood on Thursday night." thing is said to indicate that heriff Walker is hunting for the urderers. From Rosewood, Fla., we are told: "Twelve houses, all that remained of the negro section of Rosewood following the clash between whites and Blacks on Thursday night in which seven were killed, were fired by a crowd of white men here this afternoon and burned to the ground." That tells which side was the aggressor.

Florida Mob Destroys an Entire Negro Community

New York N. Y.

Two Whites Killed and Several Wounded While Mob of 300 Kill 5 Negroes and Burn Homes and Churches at Rosewood

New York Age N-Y

(Special to THE NEW YORK AGE).

Rosewood, Fla.—Four Negroes and two whites are known to be dead and a number of people of both races are wounded as a result of a race riot here Thursday night and Friday, January 4 and 5. On Monday this section of Florida was stirred up as a result of an alleged criminal attack upon a young white woman at Sumner. Three Negroes were accused of having taken part in the attack. Monday night a colored man was shot to death because he is said to have admitted to a mob that he transported one of the accused men several miles in a wagon.

Early Thursday night a report reached Sumner that the accused men were in Rosewood. A mob came here to investigate, and is said to have found about twenty-five Negroes heavily armed in one house. C. P. Wilkinson, a Sumner merchant, and Henry Andrews, superintendent of the Summer Lumber Company at Otter Creek, attempted to enter the house and were killed.

The whites then surrounded the house and began a heavy fire. At intervals the Negroes fired back, and were able to keep the mob from coming near the house that night. About morning, the mob's ammunition gave out, and when they went to get more the occupants of the house fled to the woods. A search of the house after they had gone, revealed the fact that Sylvester Carrier and his mother, Mrs. Sarah Carrier, had been shot to death.

Following the escape of the barricaded Negroes, the colored section was fired and nearly destroyed, six houses and a colored church being burned. It is reported that Mrs. Lesty Gordon, an old colored woman, was shot to death as she was leaving her burning dwelling, and on Friday afternoon, the body of Mingo Williams, also colored was found twenty miles from Rosewood. He had been shot through the jaw.

All of the Negroes have left town and have either gone to relatievs and friends in other places or are in hiding in the woods.

Although Governor Hardee, when informed of the outbreak, announced that he would send troops to dispel the mob, it was still in tact Friday night, numbering between two and three hundred armed men, and was scouring the surrounding country in search for Jesse Hunter, an escaped convict, who is alleged to be one of the men who attacked the white girl on Monday.

On Sunday the mob resumed its wild rampage. James Carrier was captured and accused of being in the barricaded house. He was asked to reveal the names of the others in the house, and when he refused to give their names, he was taken to the newly dug graves of his mother and brother, who were killed on Thursday, while his body was riddled with bullets.

Fololwing this barbarous act the remaining twelve houses in the colored section were fired one at a time and burned to the ground while between 100 and 200 people looked on. In the opinion of the local officers this marks the end of the dsturbance.

Several of those who were barrricaded in the house have been captured and were spirited away for safe keeping. The prisoners captured are said to have admitted that there were eighteen people in the house.

TORCH IS APPLIED TO TWELVE NEGRO HOUSES IN ROSEWOOD, FLORIDA

Montgomery Advertiser 1-8-23

Remaining Homes In Colored Section of City Burned to Ground

NEGROES IN HIDING

Throngs Look on as Buildings Are Deliberately Fired Late Sunday

(Associated Press)

ROSEWOOD, FLA., Jan. 7.—Twelve houses, all that remained of the negro section of Rosewood, following the clash between whites and blacks Thursday night in which seven were killed, were fired by a crowd of white men here this afternoon and burned to the ground.

The houses were fired one at a time while a crowd of between 100 and 150 me nlooked on without making any effort to extinguish the flames, according to Levy county authorities. All of the negroes were hiding in the woods, where they went late Thursday night after the clash.

The burning of the houses was carried out deliberately and, although the crowd was present all the time, no one could be found who would say he saw the houses fired. Six houses and a negro church were burned Thursday night immediately after a crowd of white men, advancing on a negro house, had been fired on from the house and two of their number killed.

The negroes escaped from the house after two of them had been shot to death by the whites, who rained bullets on the structure until their ammunition was exhausted. A negro woman was killed as she was leaving her burning dwelling; another negro was slain about twenty miles from the scene of the trouble and yesterday a fifth negro was shot to death in Sumner on the graves of his mother and brother and one of the other negro victims when he is said to have refused to tell his white captors the names of those in the house who fired on the white men.

In the opinion of the officers, the fires here today mark the end of the racial disturbance, which was precipitated when the white men went to the negro house in search of Jesse Hunter, wanted for alleged implication in an attack on a young white woman at Sumner Monday. Hunter has not yet been captured.

Several of the negroes who were barricaded in the house were arrested, it was learned tonight, and have been spirited away for safe keeping. The prisoners are said to have admitted that there were eighteen negroes present at the time of the trouble.

At Sumner all the negroes are kept in the quarters when not at work at the lumber mill, a deadline having been established between the negro and white sections.

An unusual incident Thursday night while the barricaded negroes were firing at the whites was reported today. One of the attacking cordon with an electric flash light worked his way across the open space between the crowd and the house, climbed through a darkened window, switched the light on the crouching negroes and shouted to his friends to shoot. One of the negroes shot him, the bullet lodging in his head and inflicting a serious wound.. He fell through the window to the ground and was rescued.

ROSEWOOD NEGRO SECTION BURNED

Montgomery Post
Houston Post

ROSEWOOD, Fla., Jan. 7.—Twelve houses, all that remained of the negro section of Rosewood following a clash between whites and blacks on Thursday night, in which seven were killed, were fired by a crowd of white men here Sunday afternoon and burned to the ground. 1-8-23

The houses were fired one at a time while a crowd of between 100 and 150 men looked on without making any effort to extinguish the flames, according to Levy county authorities. All of the negroes remained hiding in the woods, where they went late Thursday night after the clash.

Six houses and a negro church were burned Thursday night immediately after a crowd of white men, advancing on a negro house, had been fired on from the house and two of their number killed.

The negroes escaped from the house after two of them had been shot to death by the whites who rained bullets on the structure until their ammunition was exhausted. A negro woman was killed as she was leaving her burning dwelling, another negro was slain about 20 miles from the scene of the trouble and Saturday a fifth negro was shot to death in Sumner on the graves of his mother and brother and one of the other negro victims, when he is said to have refused to tell his white captors the names of those in the house who fired on the white men.

In the opinion of the officers the fire here Sunday marked the end of the racial disturbances, which was precipitated when the white men went to the negro house in search of Jesse Hunter, wanted for alleged implication in an attack on a young white woman at Sumner Monday. Hunter has not yet been captured.

Riots - 1923

See Also: Lynchings,—Cases of,

Florida

NEGROES FIGHTING MOBS.

Baltimore Herald 1/10/23

Rosewood, Florida, furnishes the latest example of mob savagery in Christian United States.

Accurate and truthful reports are impossible as correspondents of the press agencies are themselves, no doubt, members of the mobs and color the stories they write so as to make the fiendish murder of the whites appear merciful and in the defense of the good name of the State of Florida and the highest virtues of the murderers themselves. There is no course left therefore for one who is fair-minded and seeks the truth but to sift the lies of the press dispatches and gather what truth it is posible to glean by careful interpretation.

The fact stands out that a mob attacked a Negro's home, that the Negro with friends who were with him defended themselves killing two white men and wounding three others. In the first dispatches twenty Negroes were reported killed but after reviewing the situation and taking into account the effect that the wholesale slaughter of Negroes might have upon the public mind, somewhat introduced to Southern atrocities by the Dyer bill agitation and rudely shocked by the Mer Rouge murder of two white men, the authorities in Florida and the news agencies decided to trim down the Negro dead to four, during the first killing and one more who was taken to the graves of the other murdered men and there shot to death because he was *suspected* of having been one of the defenders in the attacked home and did not reveal the names of the others in the house.

The cause o fthe attack on the house was reported to be an assault on a white girl by a Negro who took refuge in the house. When truth gets a hearing we believe that it will be shown that labor troubles are at the bottom of the mob murders. Nowhere in any part of the South can a body of Negroes be gathered together to protect or defend a Negro who has assaulted a white woman or a colored woman. The fact that the man who is chraged in the press reports as having assaulted a white woman was defended by men of his race is proof beyond dispute that he did not assault a woman and that the charge was cooked for the purpose of killing him or some other Negro for some other reason.

Negroes throughout the country are in the fullest sympathy and cherish the highest admiration for the men of the race in Florida who fired into the mob and killed two of their number. We regard the twenty, or whatever the number, killed as martyrs. They died defending their own lives and in defence of law and order. Every shot fired into a mob and every member of a mob killed is in defense of law and order.

THE FLORIDA RIOT.

New York Age

The boast of the South, which is often repeated, is that the South may occasionally lynch a Negro for having committed a terrible crime but that it never wreaks vengeance upon the innocent and unoffending. This boast is always coupled with the charge that in the North there have been racial outbreaks in which Negroes guilty and innocent were treated alike. Of course, this has never been actually true. There have been numerous instances of race riots in the South where whole Negro populations of communities have been beaten up and run out and burned out. Indeed, often in cases of lynching the person accused of the crime has been done to death and for good measure two or three, or a half dozen, of his relatives or friends were done to death with him.

1-15-23

But the newspapers this week carry the news of a Florida riot, the culmination of a series of lynchings, lynchings which included men not even alleged to have committed any crime. In this riot a whole Negro community has been wiped out, their homes and their churches destroyed by fire, and the Negroes themselves are hiding in the woods like hunted animals.

Southern newspapers made much of pointing to the Chicago riot of three summers ago. The people of the South ought to be told that there is a great difference between a riot in the South and a riot in a city like Chicago. In Chicago, although the numerical odds were against him, the Negro was not afraid to fight back and when the fight was over he felt that he had something pretty near a fair chance before the law. Those are two conditions which the suffocating, damning atmosphere of the South does not permit.

ROSEWOOD, Florida, has given dramatic support to the campaign of the National Association for the Advancement of Colored People for a Federal anti-lynching bill. Eighteen Negro homes and a Negro church have been burned, and five Negroes and two white men shot to death in a series of deliberate outrages in which the entire white population of Rosewood seems to have participated. One Negro was murdered because he carried in his wagon a Negro for whom the white mob was hunting. The two white men were shot from a Negro home to which they were setting fire. After this madness the local officers stated that "the situation in the entire vicinity was quiet and they anticipated no further trouble." Next day twelve more Negro homes were burned while a crowd of more than a hundred men—more than Rosewood's entire male white population—looked on, and one Negro, who had gone to his employer for protection, was turned over to a mob which took him to the fresh graves of his mother and brother, killed in the previous fighting, and there shot him in cold blood. Again we are informed that "in the opinion of the officers the fires marked the end of the racial disturbances." No one could be found afterward who would say he had seen the houses fired. There has been no indication that the authorities of Levy County or of the State of Florida were even interested in the fate of these Negroes. Meanwhile Louisiana is learning the truth about the disgusting mob violence within her borders, but is making small progress toward punishing it. Will Southern Senators arise once more to expound the time-hallowed doctrine of State's rights and declare that their native commonwealths will attend to their own business without Federal pressure?

Baltimore Herald 1/10/23

POSSES SEARCHING FOR ESCAPED NEGRO

White Men Determined to Capture Assailant; More Trouble Feared

Montgomery Advertiser

(Associated Press)

ROSEWOOD, FLA., Jan. 5.—Armed posses of white men, numbering between 200 and 300, tonight were scouring the countryside for Jesse Hunter, escaped negro convict, search for whom last night in connection with an attack on a white girl resulted in the killing of two white men and four negroes and the wounding of four other white men. Sheriff Elias Walker said only six were killed, despite reports of a large number. 1/6/1923

Additional ammunition has been ordered from Gainesville and Sheriff Walker told the Associated Press tonight that further trouble appeared imminent. Relatives of the slain negroes are believed to be armed and are expected to cause trouble if overtaken by the whites.

Following the clash between the races, the negro section was fired and virtually was destroyed, six houses and a negro church being burned. All negroes have fled Rosewood and are believed to be hiding in the woods for protection.

C. P. Wilkinson, a merchant of Sumner, and Henry Andrews, superintendent of the Cummer Lumber Company at Otter Creek, were killed when they advanced on a negro house last night to see Sylvester Carrier negro, who was believed to know the whereabouts of Hunter. Their companions then rained bullets on the house, the negroes returning the fire. The number of negroes in the house was estimated at twenty-five.

Before dawn the white men's ammunition was exhausted and the negroes escaped before the supply could be replenished. A search of the house revealed that Sylvester Carrier and his mother, Sarah Carrier, had been shot to death. Lesty Gordon, negro woman, was shot to death as she was leaving her burning dwelling, it was reported. This afternoon the body of Mingo Williams, negro, was found on a road about twenty miles from Rosewood. He had been shot through the jaw.

The white men wounded were: Cecil Studstill of Sumner; Bryan Kirkland of Sumner; Mannie Hudson of Sumner, and Henry Odom of Otter Creek.

Several negroes also are believed to have been shot.

The community has been aroused since the attack on a young white woman at Sumner Sunday. Hunter, who escaped from a road gang in Levy county, was accused in connection with the crime, which was said to have resulted in Carrier saying his act was an example of what the negroes could

do without interference.

The white men went to Carrier's home last night both to see if Hunter was there and to warn Carrier against further talk of that kind. Hunter was serving a prison term for carrying concealed weapons. It was believed he was in the house at the time of the

WHITE MOBBISTS SCARED OFF BY LONE NEGRO BOY

Half Dozen Members Of Mob Killed And Wounded By A Single Colored Man. 'Rape' Charge Too Thin To Cover Labor Trouble, The Real Issue In Florida Riot.

St Louis Argus

Special to the Argus

TALLAHASSEE, Fla., Jan. 10—Ten white men, members of a mob which attacked the home of Sylvester Carrier, colored, at Rosewood, were killed or wounded by Carrier, who afterward escaped from the remaining members of the mob, between two and three hundred. The killings by Carrier followed the recent attacks on the Negro district of Rosewood in which practically all the best homes of the Colored people were destroyed by fires which had been set by the mob.

Mob Repulsed by Lone Man.

C. P. Wilkinson of Sumner and Henry Andrews, both white and the latter labor boss for the Cummer Lumber Company at an Otter Creek lumber camp, were instantly killed in the first attack on the home of Carrier.

The killing of Wilkinson and Andrews drove the mob back for a while until the Negro had an opportunity to reload his weapons and prepare for defense. After repulsing a second attack the two or three hundred white men composing the mob drew away for a period sufficiently long to allow Carrier to escape to the woods.

At this point Negroes from other houses came to the aid of their besieged brothers, and a rude barricade was thrown up, and loop holes made for rifle fire. Negro ex-soldiers put their knowledge and experience gained in France to use in the service of the Race and an effective defense was soon organized.

The whites, reinforced, came back 600 strong, and a battle royal developed. In spite of their reinforcements the whites were persistently beaten back by the little determined band within the rude improvised fort. Robbed of their prey and not anxious to face the lions at bay, the most cowardly part of the white mob set itself to the safer task of destroying the undefended Negro residences and the village church and lodge buildings.

In the meantime, within their improvised fort the little colored group put up a defense that will bear comparison with many of the bravest feats of the colored soldiers on Flanders fields, and forged another link in the long chain of evidence going to show that the Negro has at last decided he can fight his own battles just as bravely and as effectively as he has ever fought the battles of others.

Labor Trouble Called Rape.

Many Negroes have been leaving the lumber camps and saw mills of this section since the recent exodus began and the resultant shortage of labor has necessitated an increase in the offer of wages to new men. The old camp employees, led by Carrier, have made repeated requests for salary increases so that the pay of old employees should be equal to that promised new men.

Refusal of the camp bosses to acceded to the demands of the old employees has resulted in many of the old men stopping work.

A convenient white woman was found at Sumner, near the lumber camp, who claims that she was attacked by a Negro. The woman's charge is given to the press as the cause of the labor trouble.

FIVE KILLED IN FLORIDA RACE RIOT

The Freeman 1/12/23

Mob Burns Village, Fires on Fleeing Citizens.

ATTACK ON WOMAN ALLEGED CRIME

OTTER CREEK, Fla. ,Jan. 5—Two white men, two Negro women and one Negro man are known to be dead, and it is believed there may be additional casualties as a result of race trouble last night and early today at Rosewood, 12 miles from here. With the exception of three buildings, the village was burned by a mob shortly after daybreak, according to available reports here.

A party of citizens of Sumner went to Rosewood late last night to investigate reports that two Negroes sought in connection with an attack on a young white woman, were concealed there. On the approach of the party, the Negroes without warning opened fire, killing outright two persons, and wounding four, one probably fatally.

It later developed that twenty-one heavily armed Negroes were in house and citizens imediately established a cordon around it and opened fire with every conceivable kind of fire-arm.

Three Bodies in House.

At 4 a. m., according to information here, the ammunition of the attackers became exhausted and the departure of many for fresh supplies gave the Negroes an opportunity to escape. The fact that they had fled was learned at daylight. The vaacted house contained the bodies of two Negro women and one Negro man. Blood stains indicated that several of those who escaped were wounded.

Immediately afterward, according to word received from the scene, the mob began firing the buildings in the village and every structure except the grocery store, the house of the grocer and that of another white man was destroyed. While the village was in ames, it is said, members of the mob fired on Negroes fleeing from their homes. An unidentified Negro woman apparently about forty years of age was shot and killed.

About twenty families lived in Rosewood, many if not the majority of them Negroes.

Two White Men Killed.

Deputized posses and citizens, said to number thuosands, poured into Rosewood early today. Automobile after automobile, heevily laden with armed men, arrived, some coming seventy-five miles.

All night citizens surrounding the hut in which the Negroes had barricaded themselves, kept up a heavy fire and at intervals volleys of lead were fired from behind the barricade.

Four of the known dead are: Polly Wilkinson, of Sumner, a merchant; Henry Andrews, of Otter Creek, superintendent of a lumber company; Sylvester Carrier, a Negro; Bertha Carrier, mother of Sylvester.

Manning Hudson, M. L. Sturdeville, both white, were silghtly wounded. A man named Odum of Otter Creek, was shot through the neck.

The bodies of Andrews and Wilkinson lay where they fell until shortly after 8 o'clock this morning. They were brought here. Andrews leaves a wife and three children and Wilkinson a wife and five children.

The hut was in darkness throughout the night but efforts of the citizens to creep up on the barricade met with heavy fire. The Negroes seemed well supplied with ammunition, most of it being buckshot.

Sheriffs and their deputies from neighboring counties arrived at Rosewood this morning while in the meantime the Negro villages in surrounding towns were placed under heavy guard. At Sumner and Bronson armed men patroled the streets.

White Woman Attacked.

Thirty Negroes were alleged to have taken part in the attack on the white woman. Monday night one Negro was shot to death when he was said to have admitted to a mob that he had transported one of the accused Negroes several miles in a wagon.

Last night a report reached Sumner that the Negroes were at Rosewood. A party of citizens went to Rosewood to investigate. In one house it was said they found about twenty-five Negroes, heavily armed. Andrews and Wilkerson started to enter the house and citizens said they were shot to death without warning. Three other whites were wounded in the first skirmish.

CLERGY CONDEMNS MURDERS

WANT CHIEF EXECUTIVE TO INVESTIGATE OUTRAGE

Washington Tribune

GO ON RECORD AS BEING OPPOSED TO MOB VIOLENCE AND CONDEMN FLORIDA ATROCITY 1/12/23

President Warren G. Harding, of the U. S. A., was asked to investigate the recent murders committed in Florida as reported in the dispatches from the daily papers. A request for this investigation was made by the white Ministers Alliance of Nashville in strong resolutions offered by Dr. James I. Vance of this city. The murdering of innocent American citizens, two of whom were women and the other three ranging in age from fifty to eighty years, according to information from the press dispatches, was deplored by these gospel ministers, and it is said that the discourses and argument condemning the cowardly attack by reported hundreds of people who fired on innocent citizens, and thus once more degrading and defaming the name of America, was the subject of sharp attack and the President of the United States wa simplored as Chief Executive, to have the Federal Government ferret out the murderers and bring them to a speedy justice.

It is not known whether the President has agreed to investigate the affair or not, but feeling is said to be high and the white citizens of Nashville making up the church are indignant over the massacre as it appears from what they read in the papers. It is believed here in this city that every religiuos fraternity, charitable and educational organization will make the same appeal and request not only to the governor and state officials of the state of Florida where the reported murder was committed. Much comment was made here on the fact that the dead people were neither accused nor implicated in the reported crime, and it has been known, not only on this occasion, but on all previous occasions, that all the reported assaults on white women have as a rule been used as a pretext to attack innocent Negro citizens.

The Negroes themselves, have gone on record repeatedly as opposing all manner of crime, and joining in, in each instance, with the officials of the law in running down any criminal, he having placed himself as a race, squarely on record as law-abiding not only in this country but when out of the country representing the great American Government.

Riots—1923
See Also: Lynchings,—Cases of.

Florida.

MORE TROUBLE FEARED IN FLORIDA RACE RIOT

Commercial Appeal Memphis, Tenn.

Armed Posses of White Men Search for Black,

1-6-23

NEGRO QUARTER BURNED

All Have Fled Town and Are Hiding in Woods After Battle In Which Two Whites and Four Negroes Were Killed.

(By The Associated Press.)

ROSEWOOD, Fla., Jan. 5.—Armed posses of white men, numbering between 200 and 300, tonight were scouring the countryside for Jesse Hunter, escaped negro convict, search for whom last night, in connection with an attack on a white girl resulted in the killing of two white men and four negroes and the wounding of four other white men.

Sheriff Elias Walker said only six were killed, despite reports of a large number. Additional ammunition has been ordered from Gainesville and Sheriff Walker told the Associated Press tonight that further trouble appeared imminent. Relatives of the slain negroes are believed to be armed and are expected to cause trouble if overtaken by the whites.

Negro Section Fired.

Following the clash between the races, the negro section was fired and virtually was destroyed, six houses and a negro church being burned. All negroes have fled Rosewood and are believed to be hiding in the woods for protection.

C. P. Wilkinson, a merchant of Sumner, and Henry Andrews, superintendent of the Cummer Lumber Company at Otter Creek, were killed when they advanced on a negro house last night to see Sylvester Carrier, negro, who was believed to know the whereabouts of Hunter. Their companions then rained bullets on the house, the negroes returning the fire. The number of negroes in the house was estimated at 25.

Before dawn the white men's ammunition was exhausted and the negroes escaped before the supply could be replenished. A search of the house revealed that Sylvester Carrier and his mother, Sarah Carrier, had been shot to death. Lesty Gordon, negro woman; was shot to death as she was leaving her burning dwelling, it was reported. This afternoon the body of Mingo Williams, negro, was found on a road about 20 miles from Rosewood. He had been shot through the jaw.

The white men wounded were: Cecil Studstill of Sumner, Bryan Kirkland of Sumner, Mannie Hudson of Sumner, and Henry Odon of Otter Creek. Several negroes also are believed to have been shot.

Attack Arouses Community.

The community has been aroused since the attack on the young white woman at Sumner Monday. Hunter, who escaped from a road gang in Levy County, was accused in connection with the crime, which was said to have resulted in Carrier saying his act was an example of what the negroes could do without interference.

The white men went to Carrier's home last night both to see if Hunter was there and to warn Carrier against further talk of that kind. Hunter was serving a prison term for carrying concealed weapons. It was believed he was in the house at the time of the clash.

SOUTHERN MOB BURNS HOMES AND CHURCHES

New York News

1-13-23

Complete Destruction of Colored Settlement Where Race Riots Occurred

HOMELESS IN WOODS

Take Refuge in Brush Since Driven from Town Last Thursday Night

ROSEWOOD, Fla., Jan. 8.—Twelve houses, all that remained of the colored section of Rosewood following the clash between whites and blacks Thursday night in which seven were killed, were fired by a crowd of white men this afternoon and burned to the ground.

The houses were fired one at a time while a crowd of between 100 and 150 men looked on without making any effort to extinguish the flames. All of the colored people were hiding in the woods where they went late Thursday night after the clash.

No One Admits Firing

The burning of the houses was carried out deliberately, and, although the crowd was present all the time, no one could be found who would say he saw the houses fired. Six houses and a church were burned Thursday night immediately after a crowd of white men, advancing on a house, had been fired on from the house and two of their number killed.

The colored people escaped from the house after two of them had been shot to death by the whites, who rained bullets on the structure until their ammunition was exhausted. A colored woman was killed as she was leaving her burning dwelling, another was slain about twenty miles from the scene of the trouble, and a fifth colored person was shot to death in Sumner on the graves of his mother and brother and one of the other victims when he is said to have refused to tell his white captors the names of those in the house who fired on the white men.

Hunter Still at Large

In the opinion of the officers the fires here today mark the end of the racial disturbance, which was precipitated when the white men went to the church in search of Jose Hunter, wanted for alleged implication in an attack on a young white woman at Sumner Monday. Hunter has not yet been captured.

Several of our people who were barricaded in the house have been arrested, it was learned tonight, and have been spirited away for safe keeping. The prisoners are said to have admitted that there were 18 present at the time of the trouble.

Deadline Established

At Sumner all our people are kept in the quarters when not at work in the lumber mill, a deadline having been established between the colored and white sections.

An unusual incident Thursday night while the barricaded men were firing at the whites here was reported today. One of the attacking cordon with an electric flashlight worked his way across the open space between the crowd and the house, climbed through a darkened window, switched the light on the crouching people and shouted to his friends to shoot. One of the Negroes shot him, the bullet lodging in his head and inflicting a serious wound. He fell through the window to the ground and was rescued.

EX-SOLDIER IS HERO IN

BLOODY RIOT

Chicago Defender

1-13-23

Makes Farm Hands Fight Back; Had Just Come to Town; Called Chicagoan

By EUGENE BROWN

Tallahasse, Fla., Jan. 12.—Fought to a standstill, repulsed, defeated in his own bailiwick, the Southern lyncher has fled from an open attack against Race men and women at Rosewood, where 14 whites were killed, and resorted to guerrilla warfare, sneaking out in parties of death at night to waylay and slay defenseless farmers and villagers. In this manner the toll of death has risen since last Thursday night and Friday, when a band of determined Race men and women held at bay and then threw back 1,000 bloodthirsty Southerners bent on teaching them a lesson.

Many a time has the South protested against teaching the Race the art of soldiering. White legislators have protested against the acceptance of these non-white Americans as an integral and combating part of the American army.

Omen Fulfilled

Last week's battle at Rosewood seemed to be the fulfillment of an evil omen these men had had. For it was from out of the ranks of the men who went over there that there came a man strong enough to rally the frightened farm hands and make them fight their hostile fellow citizens.

Ted Cole, former sergeant in a pioneer infantry regiment which saw service in France on the lines and behind the lines, led and inspired his brothers in blood against the assaults of the murderous mob. For the first time he was able to bring a group of lowly workers, men taught to be humble, together and make them fight. Older heads among them cautioned against any remonstrance. They were willing to let the white mans' way go. They remembered that such things had happened before. What booted it to them that their white masters, lords of the plantations, should kill, torture a mother, father, sister, brother? What should they do about it? Let them go ahead? Save themselves by refusing to protect their kind? That was the message of the elders. Be "too proud to fight," they counseled. What good will it do? they asked. We are outnumbered. We are on alien ground, in hostile territory. We shall be destroyed. No, no, desist: do not fight: let the law take its course. For the sake of all of us, do not anger the already maddened white man.

So many times has the same advice come. So many times has it been heeded. So many times have the toilers, the plodders, the oppressed listened to such counsel and permitted their base overlords, peonage barons, cotton kings, hill billies etc., to vent their wicked spleen hoping that time would bring a better day.

Soldier Different

But this soldier of a pioneer infantry unit, not combatant, brought to them something new. He told them to fight back. He pleaded with the men to protect their women. He pleaded with the women to stand by their husbands. He made little children cry that their daddies protect them. And the men did.

The soldier Cole seems to have been a bird of passage. Little is known of him in Rosewood, Gainesville, Sumner, Bronson or any of the surrounding towns. He seems to have come quietly, at an opportune time and then to have vanished. He is not believed to be a Southerner. Reports were circulated after the riot that he is a representative of a Chicago motion picture house.

Monday before the riot one of the "usual" crimes was reported as having happened at Sumner. A white woman was said to have been attacked by a "black brute." Jesse Hunter, ex-convict, recently escaped from the chain gang was charged with the crime by the whites. There was nothing to base the charge on save the fact that Hunter was regarded as a bad character and, therefore, the easiest person to pin the accusation upon. To tell the truth, however, this Hunter fellow was not of the worst sort. He had been arrested, thrown on the chain gang and maligned, all upon an unverified report that he was wont to carry concealed weapons.

Little appeared to have been doing in this section of the state lately. The races had been getting along in the ordinary way. The whites had made the others keep "their places," and as long as that continued there was no cause nor ground for an outbreak. The whites must have got restless for excitement. There were rumors of one kind or another, it is known. For two months reports went the rounds that tended to indicate that everything was not so well. These reports did not confine themselves to the whites.

Tension Grows

A tension was developed among groups in both races. Perturbation outgrew the stolid ranks of the farm workers. It invaded the homes of the village and city dwellers. Of course the Ku Klux Klan had its organization here. So far no serious crimes had been charged to it, but that was propably because there was no evidence of actual guilt. Underhanded work had been done, nevertheless. This work had been directed against members of both races.

There is strange similarity between the action of the Klan in whipping and abducting immoral women in other sections and the mysterious treatment accorded bad women in this district. It cannot be said that the woman at Sumner was a victim of this practice. The authorities have refused to divulge her name. There is even now some doubt as to whether she exists. But it is well known that there are women, white women, who have been mistreated, who have been maligned and slandered. Was she one? is the question that has suggested itself to the thoughtful. Did the Klan frighten her? Was she a victim of a clandestine attack from masked mobbists? Did some southern white gentlemen, parading

"blackfaced morons," press their company upon her, precipitating the report of an attack that resulted in the Rosewood killings?

Monday afternoon the whites did not stop to consider. They did not want to know. In cases of the kind their procedure is all cut and dried. They know just what to do. They get an insane satisfaction in wreaking their vengeance, however ungrounded, upon an unfortunate citizen not of their race. As a consequence, they got started. No trouble is required to raise a posse. Bryan must have had that in mind when he declared that a million men would spring to arms overnight to protect America. Were it to protect America against those whom southern newspapers, particularly Florida papers, style "black brutes,' there is no doubt of it. The farmer leaves his plow the merchant his store, the business man his office when it comes to hunting down one of the hated.

Menace Increases

Thus the huge mob got itself under way, recruited from all ranks of the white citizenry. Throughout Wednesday and Thursday its menace increased. The air was surcharged with the threat of dire happenings. The other Race became apprehensive. Meetings were held. Preachers and old settlers counseled this and counseled that. All talked of the best possible way to avoid and evade the wrath which was sure to come from the point of the white man's anger. What to do in case of attack was brought up. All were in a quandary.

Meanwhile the whites continued their mad raids. Homes of the farm hands were entered and ransacked. Women were attacked by the mobbists, the reports being that the most cruel and unusual forms of indulgence were resorted to. Husbands were struck down while the mob had its way. Wives and mothers were forced to look on as their daughters were despoiled.

Despite this by-play, the lynchers never lost sight of their main objective —to get a certain ex-convict, Jesse Hunter, and snuff his life out. They followed one clue, then another. One trail led to the home of a farmer. This farmer was charged with having aided Hunter to escape. The farmer denied any guilt. The mob refused to believe. They took his life. What to do the cowering people wondered? Should it go on like that? Sylvester Carrier said some things about the lynchers. They heard he had been talking. Word was sent to him that they would get him. The "niggers" were to be taught not "to talk too dam much." That's the way it went until the mob, through scouring the countryside, decided to invade the towns and pillage them. They came to Rosewood. Cole, a soldier who had fought in France, had beaten the mob to Rosewood. He had been caught in the extremity of this poor people's misfortune and had decided to fight it out.

How Cole Pleaded

One old man told me of how the ex-soldier pleaded with these people to defend themselves.

"Fight," the old man said the veteran urged. "Do not be afraid to die. Go on an' give up your life. What does it matter? Be sure to take your enemy with you when you go."

Then my informant told me of how Cole had told them not to expect anything from being humble, commanded them to come together and fight off their oppressors, making every bullet count. Several had remonstrated with the soldier, believing him to be hot-headed and young. But his way finally prevailed.

When it was known that the mob was actually coming the men, 24 of them, went off to get their rifles and shotguns. Cole told them how to do, selected a house on the outskirts of the town, protected by the woods. He led them into this seeming ambush, a blockhouse, and there they awaited the coming of the mob. The women offered to help the men fight. They, too, locked themselves up with their husbands. Some of the villagers refused to join this plucky band. The loss of their homes by burning and ever-lasting fear is now their reward.

When the army of whites reached the town they were cautioned not to advance further, not to seek to search and destroy any homes around there. The mob leaders thought their workers were kidding. Two influential men in this section, one the superintendent of a lumber yard where a large number of Race men are employed, thought they would advance and bandy words with the men on the inside of the house. They would use this ruse, they thought, to take the inmates off their guard. But they did not reckon with Cole on the inside. Cole knew just what he was about. As the two white men approached he ordered his men to fire through the holes that had been bored in the side of the hut. His command was obeyed. The two white n fell, killed in action. The mob stood back alarmed.

Mob Angered

But "niggers" were not going to stop them. No, by God! They opened fire upon the hut, much after the manner of firing upon a victim strung to a tree. The shot rattled off the sides of the building, a few bullets entering the house through the holes the besiegers had made. The besiegers returned th fire. More of the whites fell. Th whites charged. Round after round c shot met them. Two score wer wounded, the small buckshot not bein fatal to all. Unable to recover th bodies of the first two men killed, th white mob decided to retire a short dis tance and keep up a fire on the hous tA the same time a portion of th mob was designated to set fire to th rest of the houses in the town. Every thing not owned by the whites wa razed to the ground, dwelling house church buildings, lodge halls and al The mob spread destruction.

Their fire on the hut at the entran to the village availed nothing. All nigh long they kept up their intermitter barrage. From hour to hour the num ber of their own wounded increased a result of the besiegers fire.

The whites had not thought to ser for extra ammunition. Toward morn ing what they had gave out. Th were left helpless. Cole saw his op portunity. At 8:30 o'clock he led h sturdy 20 (four had been killed, tw men and two women) out from th house of death and charged the sout ern hosts. The hill billies, amaze broke ranks. Cole and his defende strode through, firing as they we and took refuge in the woods. Th whites had been beaten at their ov game.

The names of all those in the valia band have not been learned. The nam of others are not divulged for obvio reasons.

The whites known to have been kill number 14. Only a surmise was o tainable as to the injured.

Among the Race persons killed we Sylvester Carrier, his mother, Jams Carrier, another son, slain on his mot er's grave, and Mingo Williams. number of Race men and women ha been visited by white gangs since t night of the attack. No Race person safe alone. The whites are fighting Indian battle.

TAMPA FLA TIMES
JANUARY 9, 1923

FLORIDA IS DISGRACED.

Rosewood, the negro town up in Levy county is reported to be "quiet" again, but it is the quiet of death. In the past week two white men and five or six negroes have been killed, the town has been reduced to ashes, a foul and lasting blot has been placed on the people of the county, and the one guilty negro, whose crime caused all the disturbance has not been apprehended. We have visited the crime of one on the members of a race, and now that the senseless passion has been gratified, and an awful revenge has been taken, we are content to settle down to a period of quiet. But we will not admit we are anything but a Christian and civilized people.

While not excusing or justifying the outbreak in any way, we do feel it right to correct the exaggerated accounts that are being circulated regarding it. For instance New Yorkers are reading that 20 negroes were killed, and a number of white men. Nothing of the kind. The facts are as we have stated them above, and they are bad enough. For heaven's sake do not make them any worse.

RACE FIGHT IN FLA.

COLORED MEN IN BARRICADE HOLD OFF WHITE BESIEGERS BY THE HUNDRED—2 WHITES DEAD AND CLAIM MANY COLORED — TROUBLE OVER ALLEGED ATTACK ON WHITE WOMAN

The Guardian 1/6/23.

Rosewood, Fla. Jan. 5, 1923:—Hundreds of citizens early today were preparing to renew their efforts to smash a barricade behind which 25 or more heavily armed Colored men were making a stand here in a small hut. Two white men are known to be dead, three wounded and a score or more Colored were believed slain in fighting which occurred last night.

Deputized posses and citizens said to number in the thousands were pouring into this village early today. Automobile after automobile, heavily laden with armed men, arrived, some coming from a distance of 75 miles.

All night long citizens surrounding the hut kept up a heavy fire, and at intervals volleys of lead were fired from behind the barricade. At the first break of dawn the assailing force was preparing to rush the house from all sides. Authorities believed that unless the Colored men surrender they would be smoked out.

The number of negro dead could not be estimated early today, but the hut was said to be riddled with bullets from its flooring to the roof.

The Dead and Wounded White

The white dead were:

Henry Andrews, superintendent of the Cummer Lumber Company's sawmill.

Boly Wilgerson of Sumner.

The wounded:

Man named Odom, said to be from Jacksonville, employeed at a box factory at Otter Creek.

Sephus Studstill of Rosewood.

Warner Kirkland of Rosewood.

The bodies of Andrews and Wilgerson laid all night where they fell. No one would venture to rescue them, so hot was the fire from behind the barricade. Andrews leaves a wife and three children, and Wilgerson a wife and five children.

The hut was in total darkness throughout the night, but efforts of the citizens to creep up on the barricade met with heavy fire. The Colored men seemed well supplied with amunition, most of it being buckshot.

Sheriffs and their duputies from neighboring counties arrived here during the early morning while in the meantime Colored vllages in surrounding towns were placed under heavy guard. At Sumner and Bronnon armed men patrolled the streets.

No racial outbreaks other than at this place had been reported.

Since Monday this section of Florida has been stirred as the result of an alleged criminal attack upon a young white woman at Sumner. Three Colored men were alleged to have taken part in the attack. Monday night one negro was shot to death when he was said to have admitted to a mob that he had transported one of the wanted Colored men several miles in a wagon.

Early last night a report reached Sumner that the Colored men wanted were at Rosewood. A party of citizens went to Rosewood to investigate. In one house, it is said, they found about 25 Colored men heavily armed.

Andrews and Wilgerson started to enter the house, and citizens said they were shot to death without warning. Three other white men were wounded in the first skirmish.

removed them without being fired

The bodies of Andrews and Wilgerson were recovered shortly after 8 o'clock. Volunteers entered the yard under the guns of the Colored men and upon. They were brought here.

Negroes Fight Back Again

Pittsburgh American 1-19-23

Press reports from Rosewood, Fla.—the scene of our latest war between the races—are such as to make Negroes everywhere feel proud and take renewed hope. For our people have fought back again! They have met the mob with its own deadly weapons, they have acquitted themselves like free men and were not content to be burned like bales of hay.

Things have come to the place in this country that the only course for the Negro is armed resistance. The states refuse to protect us against the mob and the federal congress has washed its hands of all anti-lynching legislation. Lynchers are free to prowl the earth and butcher any Negro who gets in their path. The only way for the black man then is to keep his powder dry and shoot back.

Pittsburgh Sq.

It was a much needed lesson in race solidarity that these southern Negroes at Rosewood gave to their brothers in the North. Barricading themselves in an improvised fort with openings to shoot through these black heroes decided that the mob should not pass as long as ammunition lasted. But a finer thing even than the stand of the men in the fort was the coming to their assistance of other Negroes in the nighborhood. Thus reinforced they fought to the last ditch and did not run until all the bullets had been shot at the bodies of those composing the mob.

Although they had declared war the lynchers would not live up to the rules of warfare. They would have their feast of blood. They therefore resorted to the killing of non-combatants and the burning of homes. An old colored man, 70 years old, was murdered on the roadway and the Negro section was burned. But some day Negroes will not only shoot back, they will burn back.

The *Atlanta Constitution* has remarked that if governors will be as energetic as Governor Parker there will be no need of federal legislation against lynching. We wish to remark that if Negroes deport themselves as did the brave men at Rosewood the various state governors will begin to see the light.

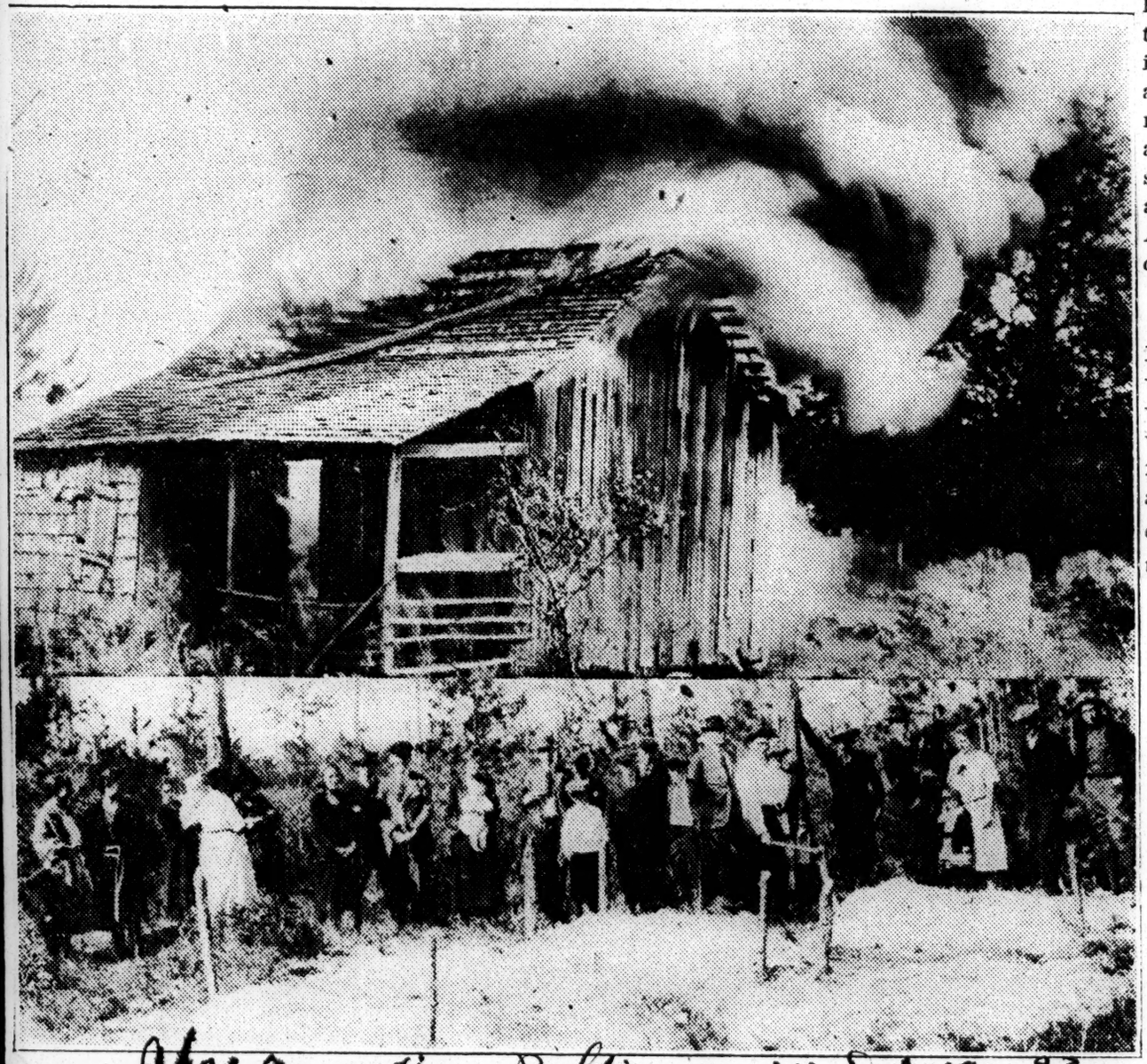
Our hats are off to the men who fought back at Rosewood. They are our leading Negroes, our really BIG NEGROES.

Riots — 1923.

See Also: Lynchings, — Cases of.

Florida

Florida Mob Fires Colored Homes



Afro American. Baltimore M. Ed. 1-19-23

TOP—Photo shows one of the colored dwellings in Rosewood, Fla., set on fire by mob. This dwelling and eleven others were totally destroyed, leaving but a pile of cinders and twisted iron-bed frames.

BOTTOM—Part of the mob of men, women, and children standing by the three graves of its six colored victims. Two persons were buried in each grave without coffin or box.—*International Photo.*

Mob Kills Twenty Negroes Who Fight Back And Slay Five Whites And Wound Three

1/10/23
The Baltimore Herald.

Gainesville, Fla., Jan. 5.—The conductor on a Seaboard Air Line train arriving here this morning said Rosewood was quiet when he passed through there early today and he expressed the belief that the barricaded Negroes had escaped from their stronghold into a nearby swamp.

Tallahasse, Fla., Jan. 5.—Governor Hardee, of Florida, when informed by the Associated Press here early today of the racial outbreak at Rosewood, immediately made efforts to get in touch with the authorities at Rosewood to determine whether troops would be necessary to restore order. The calling out of unity the Florida National Guard depends on how serious the civil authorities view the situation, the governor said.

Jacksonville, Fla., Jan. 5.—An official of the Cummer Lumber company here stated this forenoon that he had been advised from Sumner that a fourth white man, as yet unidentified, was shot during the night at Rosewood. The victim, he said, received a bullet wound in the head and was dying. He added that the situation at Rosewood had quieted and that the sheriffs of Levy and Alachua counties, and deputies were on guard.

Sumner, Fla., Jan. 5.—Firing at Rosewood, two miles from here, where more than a score of Negroes were barricaded all night in a house with hundreds of armed men besieging them, ceased shortly before dawn and had not bees resumed at 8 o'clock this morning. The intermitten firing throughout the night could be heard distinctly here.

At that hour the known casualties were two white men dead and three wounded. What the Negro casualties were could not be determined. It was regarded as certain, however, that the beseiged blacks had suffered from the hail of bullets which penetrated the walls, windows and doors of the structure.

The bodies of Andrews and Wilkerson were recovered shortly after 8 o'clock. Volunteers entered the yard under the guns of the Negroes and removed them without being fired upon. They were brought here. Parties of armed men continued to pass through here early today en route to the scene.

Rosewood, Fla., Jan. 6.—A new grave was dug in the Negro cemetery at Sumner, naer here, late today and in it Sheriff Elias Walker placed the body of James Carrier, whose death at the hands of several white men this morning was the sequel of the clash between the races at Rosewood Thursday night.

He was shot to death while standing on the graves of the four other Negroes who fell in the fighting that followed an attempt of a crowd of white men to enter a Negro house in search of Jesse Hunter, wanted for alleged implication in an attack on a white girl at Sumner.

According to information received by officials Carrier was seized by several white men this morning and accused of having been in the house from which Negroes fired on the approaching white men, killing two of their number. When he is said to have refused to reveal the names of the Negroes who did the shooting, the white men, officers were informed led him to the Negro graveyard and made him stand on the newly dug graves of his rother and mother, also victims of the fighting, while they riddled his body with shots.

FLORIDA JURY WILL PROBE RACE CLASH

Inquisitorial Body to Hear Evidence in Recent Rosewood Disorders

(Associated Press)

BRONSON, FLA., Feb. 12.—The special grand jury, empanelled here today and charged by Judge A. V. Long of the eighth judicial circuit to investigate the race clash at Rosewood near here, last month, will begin examining witnesses tomorrow morning. The examination, which was to have started today, was postponed because George Decotter, prosecuting attorney, will not arrive until tomorrow.

Eight persons including two white man were killed in the trouble at Rosewood, which started when a posse of white men, in search of a negro accused of having attacked a white girl, was fired on by a crowd of negroes in a house. Two members of the posse were killed instantly and three others wounded. 2-13-23

The whites then rained bullets on the house, killing two negroes. Sixteen others escaped. Three other negroes were killed subsequently and the entire negro section of Rosewood burned several days after the clash. A day or so before the actual clash a negro, suspected of having transported the negro wanted for the attack away from the scene was slain. The negro, search for whom precipitated the trouble never was apprehended.

Judge Long, in his charge, told the grand jurors to make every effort to fix the blame where it belonged and to see that the "guilty parties are brought to justice.

The mob violence, he declared, not only had brought disgrace upon Levy county, but had brought disgrace to and reflection on the whole state of Florida.

The interest shown in the investigation was evidenced by facts the court room was packed to hear the charge. The grand jury is composed of farmers and merchants. Judge Long said he expected the investigation would require about a week.

AFTER THE RACE RIOT AT ROSEWOOD, FLA.

Smouldering ruins of the hut at Rosewood, Fla., in which twenty men of our Race barricaded themselves and fought off a mob of over five hundred whites. Below: M. L. Studstill (white), a mill operator of Sumner, Fla., who says he was a leader of the band that raided the houses at Rosewood in an effort to get Jesse Hunter, who was charged with murder. He was dangerously wounded by Sylvester Carrier during the rush on the hut.

Chicago Defender 1-20-23

CALL WITNESSES IN RACE CLASH PROBE

Montgomery Advertiser

Thirteen Testify Before Special Grand Jury at Rosewood, Fla.

2-14-23

BRONSON, FLA., Feb. 13.—Thirteen witnesses testified today before the special grand jury empanelled by Judge A. V. Long to investigate the Rosewood race clash the early part of January, in which two white men and six negroes were killed.

George Decottes, prosecuting attorney of the seventh judicial district, who was sent here by Governor Hardee to assist in the investigation, declined tonight to say whether any evidence had been obtained on which indictments could be based. He said he could not discuss the progress being made, other than to say the trouble was being investigated thoroughly.

Twenty-five witnesses have been summoned to appear before the grand jury tomorrow. Eight negroes also will be called to tell the body what they know of the trouble, Mr. Decottes stated.

Following the burning of the negro section of Rosewood after the clash, all the negroes fled to the woods. According to information received by Mr. Decottes virtually all of them have remained away, although he said he had been informed that a few of them had returned. Mr. Decottes could not say how long the investigation will last.

The sheriff of Levy county, Florida, told the governor that state troops were not needed; his local government could handle the situation without outside assistance. After that the whole Negro settlement was burned, two white men and four Negroes were killed and all the Negroes chased out of the community. He told the truth. He proved that he could handle the situation without outside assistance.

Norfolk Journal and Guide 1/27/23

Norfolk Virginia

Riots—1923.

U. S. Supreme Court Says Men Convicted And Sentenced To Death In Arkansas Court By Mob Influence Did Not Have Fair Trial

2-21-23

Baltimore Herald & Commonwealth
Baltimore, Md.

Washington, D. C., Feb. 19.—The Supreme Court ordered that fair trials be acorded 5 Arkansas Negroes under death sentence for shooting Clinton Lee, in Phillips county, Arkansas in 1919.

The Supreme Court, denouncing the trial in Phillips county, served notice that if State courts are [illegible] by mob violence and arrested men are denied a fair trial, Federal courts should assume jurisdiction of habeas corpus proceedings.

The court reversed the action of a lower court in refusingto grant a habeas corpus to the Negroes.

IRON STUDDED STRAPS BLED PEONS' BACKS

2-20-23

Cold Blooded Murder May Sound Death Knell of "African Empire"

Chicago Ill.

WASHINGTON, D. C., Jan. 20.—Moorfield Storey, former president of the American Bar Association and now president of the National Association for the Advancement of Colored People, on Tuesday, January 9, appeared before the United States Supreme Court to argue appeals in behalf of peons condemned to death in connection with the Arkansas riots of 1919.

Chicago Ill.

Flays Courts

In the course of the brief appealing against sentence of death imposed upon five of the defendants, sensational charges are made involving the Courts of the state of Arkansas; newspapers; leading citizens; Rotary Club; Robert L. Kitchens Post, American Legion, and other organizations of Helena, Arkansas; all of whom are charged with having tried to railroad the men to death, torture being employed to make the prisoners testify falsely, mob hysteria dominating their trial which is alleged to have taken place in less than an hour.

The cases arose out of an attempt by farmers to organize and obtain legal redress against peonage or debt slavery under the share cropping system prevalent in Arkansas. The farmers were accused of a "plot to massacre whites" and, according to the brief, "a large number of white men armed themselves and rushed to the scene of the trouble and to adjacent regions and began the indiscriminate hunting, shooting and killing of Negroes."

Over 200 Killed

"We have distinct evidence," says the brief, "that all Negroes at that time were in danger of their lives, and that two hundred or three hundred men were killed. There can be no question that the citizens of Helena were determined that these men should be convicted, and that they manufactured the evidence for the purpose; and for the court (Arkansas Supreme Court) to say that they cannot assume that they necessarily did not have a fair trial shows clearly that the Supreme Court of Arkansas was itself influenced by the same feeling that influenced the leaders of society throughout the region where these tragedies occurred."

The brief further recites that the conduct of the case against the convicted men constitutes a series of outrages "than which it is hard to imagine worse."

Tells of Torture

Testimony is cited of H. F. Smiddy and T. K. Jones, the former deputy sheriff of Phillips County, Arkansas, the latter a special agent for the Missouri Pacific Railroad, both white, who were members of the sheriff's posse and swore that the white man, for whose murder the men were convicted, was killed by members of the posse, and that colored men had nothing to do with the murder. They further swore that they personally whipped the prisoners with straps studded with metal, put strangling drugs in their nostrils and forced them to sit in an electric chair to force testimony in the manner desired by the mob.

Elaine

The men in whose behalf appeal is being made were first sentenced to death in 1919, their cases passing through four State and Federal Courts. The men have been twice sentenced to death and the date of their execution has been fixed on five occasions. Twelve Negroes in all were sentenced to death and sixty-seven received prison sentences varying from a few years to life. The defense of the men has been conducted by the National Association for the Advancement of Colored People, 70 Fifth avenue, New York.

ELAINE NEGROES WILL BE TRIED IN U. S. COURT

Commercial Appeal
Memphis Tenn.

Arkansas Will File Response to Supreme Court.

2-21-23

LITTLE ROCK, Ark., Feb. 20.—Attorney-General Utley today issued the following statement relative to yesterday's decision of the United States supreme court in the case of the Elaine negro rioters:

"I have not seen the decision of the United States supreme court on the Elaine cases and am not prepared to say what it contains. The only official information this office has is a telegram from the clerk of the United States supreme court saying that the cases have been reversed with costs.

"If the Associated Press dispatches are correct, the cases have been remanded to the United States district court at Little Rock with direction to the state authorities to file response to the original petition for writ of habeas corpus and with direction to the court to give the petitioners a trial, not on the question of whether they are guilty of the charges on which they stand convicted, but on the question alone as to whether the court and jury of Phillips County followed the law and the evidence in the trial, or whether they yielded to the mob spirit and returned a verdict on passion and prejudice regardless of the law and evidence.

"Until a copy of the decision reaches this office we are not prepared to make any further statement, except that if the above is a correct statement of the opinion of the United States court we expect to file response and have the trial in the United States court in the ordinary course of the work of that court.

DEATH SENTENCES OF RIOTERS SUSPENDED

2/24/23

The Tribune
Indianapolis, Indiana

WASHINGTON, Feb. 20 — Sentences of death, imposed by Arkansas courts on Frank Moore, Ed Hicks, J. E. Knox and other Negroes convicted in Phillips county, on the charge of having killed Clinton Lee in the riots of 1919, were suspended by the United States Supreme Court today and the cases ordered back to the United States District Court to determine whether the men had received fair trials in the State court.

In behalf of the Negroes, it was contended that they had not excited nor participated in a riot, and it was insisted that they had been fired on while assembled in a church at Hoop Shur to devise means to relieve themselves of peonage, it being alleged that as tenant farmers or "share-crppers" they were being held in servitude.

The State, however, aserted that the evidence on which they were convicted was sufficient to warrant the sentence.

Counse lfor the condemned men appealed to the United States District Court for Eastern Arkansas to set aside the sentence on the ground that they had not been properly defended during the trial, that they had been subjected to inhumane treatment to force confessions from them, and that the men did not have fair and impartial trial guaranteed them under the laws.

The lower Federal Court found no grounds for ordering a new trial. Justices McReynolds and Sutherland dissented from today's decisions, asserting that appeals to the Federal Courts in such cases by writ of habeas corpus can not be approved.

A Dangerous Precedent.

Commercial Appeal
Memphis Tenn.

Advance copies of the opinion of the Supreme Court of the United States in the case of "the Elaine rioters" (Moore vs. Dempsey) are now available. A careful analysis of this opinion shows that the court in it has taken a position which may in the future plague it, and greatly interfere with the expeditious administration of justice. 3-14-23

Properly to understand the effect of the decision it is necessary to give some of the history of the case. The negroes whose petition for a writ of habeas corpus was before the court were convicted of the murder of Clinton Lee, a white man, during "the Elaine riot." In their motion for new trial in the circuit court they insisted that, while found guilty the result of a trial in form, they "were hurried to conviction under the pressure of a mob without any regard for their rights and without according them due process of law."

This contention was disallowed in the circuit and in the Arkansas Supreme Court, both courts holding that the trial had been according to law and that the convicts had been deprived of no constitutional right. The supreme court of the United States, on October 20, 1920, denied a petition for certiorari seeking to have reviewed this holding of the Supreme Court of Arkansas. After the failure of habeas corpus proceedings in the Arkansas courts, the present petition was on September 21, 1921, in the United States District Court filed presided over by Judge Trieber.

A demurrer was filed to the petition for habeas corpus and the district judge dismissed it on the ground that on its face it failed—especially in view of the prior course of the case—to make a prima facie showing that the petitioners had been deprived of a trial according to due process of law.

From this decision an appeal was taken to the supreme court of the United States, and that court has now held that the allegations of the petition, if true, do show that the petitioners have been tried contrary to the fourteenth amendment of the federal constitution guaranteeing them a trial according to due process of law. It has, therefore, reversed the case and remanded it to the district court with the direction to Judge Trieber to hear the petition on the facts. It follows that, if he finds that the statements in the petition as to the domination of the trial judge, jury and counsel by a mob are true, the writ will be granted and the trial in the Arkansas court invalidated; if on the other hand, he finds these statements not true, the writ will be denied and the last obstacle to the execution of the judgment of the Arkansas courts will be removed.

The negroes were represented in the Supreme Court of the United States by Mr. Moorfield Story of Boston, president of the Society for the Advancement of Colored People. The opinion of the court is by Mr. Justice Holmes.

Mr. Justice McReynolds has entered a vigorous dissent, joined in by Mr. Justice Sutherlanad, in which he sub-

jects the majority opinion to a searching and critical analysis and points out that Judge Trieber's decision should have been affirmed on two grounds: First, because—in view of the prior proceedings in the Arkansas courts and in the United States Supreme Court—the petition did not make out a prima facie case "supported as it was," says Judge McReynolds, "by affidavits of these five ignorant men whose lives were at stake, the ex parte affidavits of three other negroes who had pleaded guilty and were then confined in the penitentiary under sentences for the same murder, and the affidavits of two white men, low villains, according to their own admissions." Second, The prisoners, according to the dissenting opinion, had already had a trial of the question of mob domination, both in the Arkansas courts and on certiorari in the supreme court of the United States. On this point he fortifies his reasoning by referring to the Leo Frank case, where the court denied an application for habeas corpus, based upon identic grounds because the same issue had been passed on by the Georgia courts.

Referring to the numerous proceedings which have resulted in delaying the execution of the alleged murderers Mr. Justice McReynolds says:

"Years have passed since they were convicted of an atrocious crime. Certainly they have not been rushed towards the death chair; on the contrary there has been long delay and some impatience over the result not unnatural. The recent execution of assassins in England within thirty days of the crime, affords a striking contrast."

In concluding his opinion he significantly observes:

"Under the disclosed circumstances I cannot agree that the solemn adjudications by courts of a great state, which this court has refused to review, can be successfully impeached by the mere ex parte affidavits made upon information and belief of ignorant convicts joined by two white men—confessedly atrocious criminals. The fact that petitioners are poor and ignorant and black naturally arouses sympthy; but that does not release us from enforcing principles which are essential to the orderly operation of our federal system."

The conclusion that the present decision amounts to a repudiation of the Leo Frank case seems inescapable; that it is another precedent which will still further handicap the feeble American administration of criminal justice and greatly delay the execution of its sentences can hardly be doubted. Under it any convicted criminal apparently can by an ex parte petition compel a review in the federal courts of his conviction, if his imaginations be sufficiently cultivated to allow him to picture any conceivable state of facts which would amount to a denial of "due process of law," although he may have had the benefit of exactly the same contention in all of the state courts. Certainly in the case of a convicted murderer only an atrophy of his powers of inventions will prevent him from pursuing a course which will enable him to speculate with the state courts to the bitter end and then begin all over again and speculate for several more years with the federal courts.

While no right thinking person wants anyone condemned to death by a mob in the guise of a court, yet the possibility of this can be eliminated by allowing the defendant to make the question in the state court and have it reviewed, if necessary, by the Supreme Court of the United States on certiorari. Congress should immediately, by statute, put up a "no thoroughfare" sign on the habeas corpus route, else it will soon be thronged by convicted murderers who, by traveling it, can easily delay if not escape their pursuers.

Certainly Mr. Justice McReynolds does not overstate the case when he says that by this decision "another way has been added to a list already unfortunately long to prevent prompt punishment" and adds, "the delays incident to enforcement of our criminal laws have become a national scandal and give serious alarm to those who observe.

WHITE PRESS COMMENDS N. A. A. C. P. VICTORY IN ARKANSAS CASES

negro Story
Wichita, Kansas

Two white newspapers, the St. Louis, Missouri, Post-Dispatch and the Toledo. Ohio. Times, commend the Supreme Court's reversal of convictions of Arkansas peons, constituing a victory for the National Association for the Advancement of Colcred People, which defended the men. 3/16/23

Says the Post-Dispatch editorially on February 25th:

We dissent from the doctrine ef Federal interference in state cases, but there is some gound for satisfaction in the action of the United States Supreme Court, which remanded the cases of Negroes convicted of participation in the Elaine (Ark.) riots. The ground for remanding, was that the Negroes were not given a fair hearing.

Fourteen Negroes and five white men were killed in the rioting, which by nearly all accounts, was started by the whites. The Arkansas formula in such cases seems to consist in hanging the Negroes who escape the bullets.

The Toledo Times says, in and editorial of February 22nd:

In ordering fair trials for five Negroes under death sentence for murder, the Supreme Court holds that where a state has failed to protect the constitutional rights of American citizens, it is the duty of the federal court to intervene. Two dissenting judges—McReynolds and Sutherland—claimed that the effect of the decision would be to delay the just punishment of criminals, but will it? Isn't it more likely to state courts to conduct trials fairly in order to avoid interference on the part of the federal courts?

Still admitting the contention of Justice McReynolds, we fail to see why it is sufficient grounds for the Supreme Court to withhold the protection which the constitution guarantees every American citizen. The dissenting judges claim that it is the state's duty and not the federal government's, to assure a fair trial. Quite true, but what if the state neglects its duty, does that neglect deprive the citizen of his constitutional rights? Colored citizens in states like Arkansas where the race feeling runs high, will feel a greater sense of security in knowing that the strong arm of Uncle Sam stands between them and prejudiced courts.

NATION-WIDE NEGRO CONFERENCE CALLED

The Freeman
Indianapolis, Ind.
2-24-23

COSMOPOLITAN BAPTIST CHURCH TO BE HEADQUARTERS OF MAMMOTH RACE GATHERING

Great History-Making Convention to Devise Means of Aiding Migrants From Southland.

CITIZENS TO DEAL ALSO WITH WORLD'S VEXATIOUS DARKER RACES PROBLEM.

Washington, D. C., Feb. 12, '23.

To the Editor of The Freeman:

You are hereby requested to elect or appoint five or ten members of your organization to represent you at the Nation-Wide Negro Conference to be held at Cosmopolitan Institutional Baptist church, between 9th and 10th Sts., N. W., Washington, D. C., beginning the week of April 16th, 1923, extending throughout the 29th day, making a total twelve day conference.

The object of this conference is to devise ways and means of aiding the 3,000,000 Negroes who are planning to leave the South, other millions of the United States, and the 400,000,000 of darker races scattered throughout the earth.

There is a wide unrest among the darker races of the earth, and the coming together in this conference of our leading people and organizations is the only way to relieve the situation during this present and serious strain. Editorial appeals are being made to all ministers, bishops, lawyers, doctors, public school teachers, Sunday schools, Y. M. C. A.'s, Y. W. C. A.'s, Epworth Leagues, editors, Christian Endeavor Societies, Urban Leagues such organizations as the National Baptist Convention, Inc., the National Baptist Convention, unincorporated membership 5,000,000, Bethel A. M. E. connection (600,000); Zion A. M. E. connection (600,000); C. M. E. connection (300,000); Presbyterians (100,000); Episcopalian (75,000); Lutherian (50,000); the Shriners, Masons, Odd Fellows, Knights of Pythias, Knights of Jerusalem, Elks, Moses, Good Samaritans, St. Lukes, Chaldeans, Woodmen of the World, National Race Congress, National Association for the Advancement of Colored People, National Equal League of America, Negro Universal Improvement Association, Lincoln Political League, Negro Natinal Press Association, Boy Scouts, Big Brother and Big Sister Movement.

This Conference is called under the joint auspices of the National Ministers' Evangelistical Alliance of America, the National Henderson Civil Rights Leagues, the White Cross Free Labor Bureau of America, and Ministers' and Deacons' Union. Dr. Simon P. W. Drew, president; Rev. R. D. Botts, secretary. The Ministers' and Deacons' Union of the District of Columbia; Rev. Bishop Isaiah P. Brooks, president.

If you are a minister, preach it in the pulpit, Sunday. If you are a lawyer or doctor, tell your clients or patients, or if you have a lodge, tell it in your meeting; if you are a merchant or laborer, tell it on the job—spread the news from person to person.

For further information, write or phone Dr. Simon P. W. Drew, chairman of the committee of arrangements. Rev. Bihop Isaiah P. Brooks, chairman of committee on transportation; Rev. R. D. Botts, General Secretary; Rev. John H. Stephenson, Field Secretary, main office 921 N St., N. W.; branch, 1317 Corcoran St., N. W. Phone, North 3608.

Riots — 1923

Elaine.

BROOKLYN N Y EAGLE

FEBRUARY 20. 1923

HIGHEST COURT SAVES NEGROES.

A large number of negroes, tenant farmers, claiming to have been reduced to virtual peonage, met in a church at Hoop Spur, Phillips County, Ark. A mob of white men fired volleys into the church. The negroes defended themselves. In the disturbance that ensued one white man was killed. Thereupon a dozen negroes were arrested, accused of murder, tried before a white judge and a white jury, convicted and sentenced to death. This was in 1919. A Federal court writ prevented the executions. The case was carried up to the tribunal of last resort, Arkansas claiming that United States courts had no authority to interfere with her exercise of "police powers." Yesterday the Supreme Court of the United States turned down this contention as without merit, suspended the sentences and directed the District Federal Court to decide whether the negroes had had a fair trial.

So far as we know this action is without precedent. States have tried accusations of murder heretofore, secured convictions and done what they pleased with the convicted persons. But the precedent that is now made is one both hopeful and wholesome.

Rich or poor, black or white, the citizen must be protected against outrage under the color of local law. Race prejudice is a real thing. "No State shall make any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws." So the organic law of the nation reads. But in three cases—Barbier vs. Connolly, 113 U. S. 27; Powell vs. Pennsylvania and Mugler vs. Kansas—it had been held that "the amendment does not interfere with the police power of the States," and a New York decision has defined the police power as "including everything essential to public safety, health and morals." The shift of the ruling judicial view is apparent. Neither Arkansas nor any other State is entitled to make citizens the victims of race hatred with impunity. The disgrace to the State of Arkansas in having attempted to defend such a course is equally apparent.

A FAR-REACHING DECISION.

The decision rendered by the United States Supreme Court last week in the Arkansas cases is far-reaching. These cases have been fought through various state and federal courts during the past three and a half years.

New York Times

It may be well to review quite briefly the story of these cases. In the fall of 1919, with the prices for cotton at their highest point, a number of colored sharecroppers in the delta region of Arkansas organized a protective association. Under the peonage system prevalent in a great part of the cotton-raising section of the South, these colored farmers had for a number of years failed to secure any proper accounting for their share of the crops. Then they committed an "offense" which amounted to lese majesté. **They decided to hire legal counsel and to compel their white landlords to make an accounting. The white landlords, considering this action nothing short of revolutionary, decided it must be stopped at all costs.**

3/3/23

On the night of September 30, 1919, a number of colored people had assembled in a church at Hoop Spur to discuss the situation and to raise money to help pay the lawyer who was to be engaged. The meeting was fired upon by a body of white men and in the disturbance that followed a white man was killed.

The report of this killing spread like wildfire and crowds of armed white men rushed in from the adjoining counties in the states of Tennessee and Mississippi, joining the Arkansas mobs and there followed the hunting down and shooting of two hundred and fifty or more innocent Negroes.

The horror of these atrocities had to be covered up; so as justification the report was sent out to the country that the Negroes in the delta region of Arkansas had organized themselves for the purpose of massacring all the white landlords and taking over the land. But this justification demanded further sacrifice. **So twelve Negroes were charged with conspiracy and murder, were indicted, and were quickly railroaded to death sentences, while sixty seven others were sentenced for long terms in the penitentiary.**

The National Association for the Advancement of Colored People, immediately after the action of the mob, sent an investigator to the scene, secured the true story and published it to the country, and ever since then the fight has been waged in behalf of the condemned and sentenced men.

The trials which had been given these men by the State of Arkansas were nothing more than farces. The court was thronged by a mob that threatened the most dire consequences to anyone who interfered with the desired result of the trials. The lawyers for the defendants did not dare to demand a delay or change of venue or even to challenge a juryman. The trials lasted about three quarters of an hour and in less than five minutes the jury brought in a verdict of "guilty of murder in the first degree." In fact a trial was allowed only because a "solemn promise was given by the leading citizens of the community that if the guilty parties were not lynched and the law allowed to take its course justice would be done and the majesty of the law upheld," which in other words meant that these twelve men were to be "legally" lynched.

The cases which the United States Supreme Court has just considered were the cases of six of the twelve men. The outcome in the cases of the other six will most likely depend upon the outcome of the Supreme Court decision.

Dates for the execution of these men were set three times. Their cases were argued by Mr. Moorfield Storey on the 9th of last month on an appeal from the order of the District Court for the Eastern District of Arkansas dismissing a writ of habeas corpus upon demurrer. This decision of the Supreme Court reversed the order. The question before the Court was not the innocence or guilt of the men but as to whether or not their constitutional rights had been preserved. Yet, the State of Arkansas has actually admitted the truth of the facts set up by the petitioners and the probable result of the Supreme Court decision will be that the State will make no further effort to carry out the death sentences against these men.

> "We shall not say more concerning the corrective process afforded to the petitioners than that it does not seem to us sufficient to allow a judge of the United States to escape the duty of examining the facts for himself, when if true as alleged they make the trial absolutely void. We have confined the statement to facts admitted by the demurrer. We will not say that they cannot be met, but it appears to us unavoidable that the District Judge should find whether the facts alleged are true and whether they can be explained so far as to leave the State proceedings undisturbed."

The Arkansas cases are doubly important. They are important first of all because of the fight being made to save the lives of twelve innocent men who were being railroaded to death by the court machinery of their state and for the liberation of sixty-seven others sentenced to prison. Secondly, they are important because they strike at the foundations of the greatest handicap the Negro in the cotton-raising sections of the South has to labor under. This is the handicap of economic exploitation, which actually amounts to slavery. Practically, it is a greater handicap than lynching because it holds down in peonage and servitude almost the entire Negro population of the communities where peonage is practiced. A great many colored sharecroppers in the cotton-raising districts never see money. They go on a farm and go deeper in debt at the end of each year, and so long as they are in debt they cannot quit. Indeed, there are numerous instances to show how they are sold from one landlord to another on account of debt.

If this decision in the Arkansas cases turns the light on peonage conditions and leads to action that will break them up, its results will be greater than we can imagine. The American Negro has not yet generally recognized how much his problem

is one of economics. It may be roughly stated that half the white people in the South live off the economic exploitation of Negroes. It is, therefore, to their advantage to keep them in a position where they can be easily exploited. **The requirements for keeping them in such a position is to Jim-Crow them, disfranchise them, deny them justice in the courts, keep them ignorant, and from time to time, in order to keep fear in their hearts, lynch and burn them.**

If the Negro can break up the conditions which make his economic exploitation so easy he will find that many of the other phases of his problem will disappear. If peonage can be abolished it will mean the liberation from virtual slavery of hundreds of thousands of Negroes. It will put these hundreds of thousands in a position where they can sell their labor to the highest bidder and will not stand in fear of prison on account of a debt, just or unjust.

We believe that this decision of the United States Supreme Court, on account of the wide publicity which has been given to the extraordinary cruelties in the Arkansas cases, will go far toward bringing about this result.

ELAINE NEGROES ARE JAILED AT MARIANNA

Lee Circuit Court Will Convene Monday.

HELENA, Ark., April 11.—Considerable surprise was occasioned here today when it was learned from Sheriff Mays that Ed Ware, Will Wordlow, Alf Banks, John Martin and Joe Fox, five negroes awaiting retrial at Marianna on murder charges growing out of the Elaine insurrection, were several days ago taken to Marianna by Sheriff Galloway of Lee County. Albert Giles, the sixth man awaiting retrial, was recently sent back to the penitentiary hospital at Little Rock. Whether he has been taken to Marianna is not known here.

The circuit court for Lee County will convene next Monday, with Judge E. D. Robertson presiding.

Six other negroes, convicted of murder as the outgrowth of the Hoop Spur tragedies of October, 1919, are held in the penitentiary awaiting the result of an appeal to the United States Supreme Court.

Five white citizens and an unknown number of negroes lost their lives in the Elaine insurrection. Two of the white men were members of the American Legion and another was a member of the Helena city council; another was a soldier in the United States army and the fifth a special officer of the Missouri Pacific Railroad. Several other white citizens were wounded, one of these being a member of the United States regulars, sent to Phillips County from Fort Logan H. Roots at the request of Gov. Charles H. Brough, who acted on urgent messages from local citizens.

More than 100 negroes were tried for participation in the insurrection. Eighty-five were sentenced to various penal terms and 12 were sentenced to death, after being convicted of murder. The six now in the penitentiary awaiting action of the supreme court were convicted a second time on retrial, and the six to be tried in Marianna next week have also been twice convicted.

The claim set up by the defense in the cases at Marianna is that the defendants were tried by a jury of white men, the contention being that there should have been some negroes on the jury.

The basis of the last trial of the six negroes to be retried in Marianna next week was purely technical, the state supreme court holding that the jury in returning its verdict did not specify the crime for which the men were convicted, the verdict reading, "We, the jury, find the defendants guilty as charged in the indictment." The higher court held that the verdict should have stated that the men were found guilty of murder.

LITTLE ROCK, Ark., April 11.—Albert Giles, the sixth negro awaiting retrial in the Elaine riot cases, who was sent to the penitentiary hospital some time ago, was moved last week to the jail at Marianna, it was learned at the penitentiary today.

THE ELAINE CASES

THE MOTION FOR DISCHARGE By Atty. General S. A. Jones and The Able Corps of White Counsel Read Every Word of it

IN THE LEE CIRCUIT COURT OF LEE COUNTY ARKANSAS

State of Arkansas, Paintiff Vs. John Martin, Alf Banks, Jr., and Will Wardlow, Defendants, No. 4052.

Motion For Discharge.

Come the defendants, John Martin, Alf Banks, Jr. and Will Wardlow in person and by his attorneys, Murphy, McHaney and Dunaway, Scipio A. Jones, R. D. Smith and Mann & McCulloch, appearing solely for the purpose of this motion, and for no other purpose, and respectfully show the court that they are under indictment charged with murder in the first degree by the Grand Jury of Phillips County, Arkansas, returned in the October termn 1919, of the Phillips County Circuit Court, petitioners being so charged for the alleged killing of W. A. Atkins.

That they were tried on said charge in the October Term of the Philips Circuit Court, were convicted thereon and appealed their case to the Supreme Court of Arkansas where same was reversed and remanded for a new trial.

At the May term 1920 of said Court, they were again tried, convicted and appealed to the Supreme Court of Arkansas, where the conviction of the Phillips Circuit Court was again reversed and remanded for a new trial; that at the May Term 1921 of said Phillips Circuit Court your petitioners presented to said court a petition for a change of venue and after a full hearing thereon, said court granted said petition and made an order of removal of said causes to the Lee Circuit Court, which said order was made on the 9th day of May, 1921, a copy of said order being attached hereto and made a part hereof, the original order being now a part of the record herein.

That said court at the same time also made an order commanding the Sheriff of Phillips County, Arkansas, to remove the body of the petitioners to the jail of Lee County and deliver them to the keeper of such jail, together with a warrant of process by virtue of which the petitioners were imprisoned and held; that the Sheriff of Phillips County, Arkansas, obeyed said order and on the .....day of .....1921, your petitioners were delivered to the Sheriff of Lee County, who accepted and receipted for your petitioners, who were there kept until the 24th day of November, 1821; that on the 23rd day of November, 1921 the Hon. J. M. Jackson, then Judge of the First Judicial Circuit Court of Arkansas at Helena, in Vacation, issued an order a copy of which is hereto attached, made a part hereof and marked Exhibit "B," directed to A. F. Callaway, Sheriff of Lee County, Arkansas, commanding the said Calloway to deliver to J. D. Mays, Sheriff of Phillips County, Arkansas, your petitioners; that the said Mays on the 24th day of November, 1921, presented said order to said Callaway and demanded your petitioners, who were delivered forthwith to the said Mays. That your petitioners were kept and confined in the Phillips County Jail until the 4th day of April, 1923, when under order issued from the Hon. E. D. Robertson, Judge then and now of the First Judicial Circuit of Arkansas, your said petitioners were remanded back to the Lee County Jail where they are now confined.

Your petitioners further state that from and after the October Term 1919 of the Phillips Circuit Court they have been constantly confined in jail, either Phillips or Lee County, Arkansas.

Petitioners further state and respectfully show to the Court that they were not brought to trial before the end of the second term of the Lee Circuit Court, the court having jurisdiction of the offense charged against them, after the venue was changed from Phillips Circuit Court to the Lee Circuit Court.

Your petitionres further state that the charge against them has been pending in the Lee Circuit Court since the venue was changed by order of the Phillips Circuit Court made at the May Term, 1921; that at the October Term, 1921, of the Lee Circuit Court their case was continued by consent; that at the April Term, 1922, your petitioners filed a motion in open court to have their case set down for trial a day certain, a copy of which said motion is hereto attached, made a part hereof and marked Exhibit "A" that notwithstanding the filing of said motion demanding a trial on a day certain at said term their case was not set down, but was continued by the state without their consent and against their objection; that at the October Term of the Lee Circuit Court demanding a trial, and asking that their case be set down for a day certain at that term of the court, a copy of which said motion is attached hereto, made a part hereof and marked Exhibit "B"; that notwithstanding the filing of said motion they were unable to get the state to give them a trial, and that your petitioners have not been tried on the indictment now pending against them.

Petitioners further say that at no time during the last two terms of the Lee Circuit to-wit: the April and October Terms 1922 of said court have they, nor their attorneys, nor any one acting for them applied for a continuance or consented or acquiesced or in any wise played any part in the continuance of said cause, nor have said continuances been at their solicitation, but have been made over their protest.

Petitioners further say that said continuances have not been entered, ordered, permitted and occasioned by the want of time to try such causes nor on account of the failure of the Judge to hold any term of the court, nor as a result of any of the matters mentioned in Sections 3134 and 3135 of Crawford & Moses Digest; that the Circuit Court of Lee County met at the April Term 1922, on the 10th day of April, 1922, as will be found in Law Record D., Page 201; that the Judge of the Court was present, as aso the Clerk and Sheriff and that a jury was impanelled to try all issues and inquisitions at that term of the court; that said court continued in session until the 27th day of April, when it was adjourned to court in course, as will be found of record in Law Record D. 221; that their cause could have been tried in any said term of court, as court did not continue in session for the full period of time provided by law; that court met at the October Term, 1922, on the 9th day of October, as will be found of record in Law D., page 223; that the Judge of the Court was present, as also the Sheriff and Clerk; that a jury was impanelled and sworn to try all issues and inquisitions at said term of court; that the Judge's docket shows a notation that your petitioners' case was set for the second Friday of said term; that on the second Friday, which was October 20, 1922, the court was engaged in trying the case of State v. Guy Cothran, which was begun on October 19th and ran through to Saturday October 21st, as will be shown by Criminal Record G. page 274; that court adjourned on Saturday, October 21st, without completing the term, as fixed by law, having been in session only ten court days out of a total of eighteen such days, as provided by law, and adjourned court without trying the case of your petitioners. On account of the matters aforesaid your petitioners are entitled to be discharged.

WHEREFORE, petitioners pray that they be discharged and that judgment so issue from this court and for all other and proper relief.

Riots—1923.

Elaine

SCIPIO AFRICANUS MAXIMUS

Scipio A. Jones, of Arkansas

This Scipio is the REAL "Africanus," not by the artificial vote of the Roman Senate, but by actual ties of blood. He was the legal heart and brains of the "Arkansas Cases," and is not to be honored for destroying Africans, but for saving them.

The Romans had their artificial "Scipioo Africanus Major." To these we add the "Scipio Africanus Maximus," of Arkansas, the present, the living, the real. It was through the trained head and the devoted heart of this man that the N.A.A.C.P. was able to successfully prosecute the cases of Arkansas peons during four years,—at a minimum expense.

Thirty-odd years agoo, when we were a little child, we remember the young lawyer, "Scipio Jones," who was fighting his way into the courts of Arkansas. He was an inspiration, even to the little children,—and our sister, when a tiny girl, used to take her position in the middle of the floor, raise her hands forensically, use big and solemn words, and conclude by exclaiming: "I'm Scipio Jones!"

PUBLIUS CORNELIUS SCIPIO AFRICANUS MAJOR, of the fame of Cannae, defeated Hasdrubal and Hannibal and conquered Carthage, in the third century B. C.

PUBLIUS CORNELIUS SCIPIO AEMILANUS AFRICANUS MINOR, of Third Punic fame, destroyed Carthage, in the second century, B.C.

But our SCIPIO AFRICANUS MAXIMUS, of the fame of Elaine, in Phillips County, Arkansas, in the 20th century A. D., has not destroyed but saved, and is not so much a conquerer as a defender of his kind.

Any Negro that can practice law for over thirty years in Arkansas, and not be jailed or disgraced or bribed or shot, has conquered in a harder fight than was ever faced by a free and privileged Roman.

VIEWS and REVIEWS

By James Weldon Johnson, Contributing Editor.

A DEATH BLOW AT PEONAGE.

The news that the Supreme Court of Arkansas has reversed the decision of the Circuit Court and ordered the release of the six Negroes who have been awaiting retrial for more than two years on charges of participating in the Elaine riots constitutes a vital blow at peonage in the South.

This marks the beginning of the end of one of the most remarkable cases in the history of American courts. The case arose out of the Arkansas massacre in 1919 in which between two and three hundred innocent Negroes were hunted down and killed by armed whites. Most of the Negroes killed did not know what the trouble was about, and the only thing that any of them was guilty of was an effort to secure by legal action an accounting for their share of the crops which they had raised.

The whites, in order to cover up their bloody trail, charged that the Negroes were conspiring to kill off their landlords and they followed up this charge by arresting and trying seventy-nine colored men, twelve of them being sentenced to death within a few minutes after a farcical trial, while the sixty-seven others were sentenced to long prison terms.

The National Association for the Advancement of Colored People investigated the riots, employing lawyers and appealing for funds. The Association has fought the cases for nearly four years at an expenditure of more than $14,000. Mr. Moorfield Storey appeared before the United States Supreme Court in behalf of six men whose cases are still in the federal courts. All of the cases in Arkansas have from their inception been handled by Mr. Scipio A. Jones, a colored lawyer of Little Rock, who has shown the greatest courage and determination in fighting for the lives of the condemned men.

The freeing of the six men whose cases were still in the State courts of Arkansas may be taken as an indication that the cases of the six that are in the federal courts will be dropped. When that is done it will mean the end of a most remarkable fight, a fight not only to save the lives of innocent men but a fight against the most iniquitous condition under which Negroes in the South have to struggle, the condition of peonage. Because, although it may not at a glance be realized, it is nevertheless true that many of the manifestations of race prejudice, such as disfranchisement, Jim-crowing and lynching, are due to an underlying determination to keep the Negro in a position where his labor can be easily exploited. With the stamping out of the economic exploitation of the Negro in the South many forms of race prejudice will vanish.

NEGRO PRISONERS ARE DISMISSED AFTER SENTENCES FOR MURDER

Supreme Court Releases Men Indicted in Elaine Rioting Where Automobile Occupied by White Men Fired Upon Near Camp Meeting House at Hoop Spur, Arkansas

LITTLE ROCK, ARK., June 25—No motion to take steps to forestall the release of the six negro prisoners whose case was dismissed by the state supreme court today, after they had twice been sentenced to death after convictions of murder in connection with the Elaine insurrection of October, 1919, had been announced tonight by J. L. Utley, state attorney general who declined to comment, pending a thorough study of the high court's opinion.

The court today granted the petition of the defendants' attorneys for dismissal on the ground that two terms of circuit court in Lee county had passed without the case being brought to trial. The third trial was set in Lee county on a change of venue from Phillips county, where the insurrection occurred, on the ground that a fair trial could not be obtained in the Phillips circuit court.

Counsel for the negroes said today that legally 15 days might elapse before official notice of the decision was given the attorney general, and that if the state should ask a rehearing, defense counsel would next Monday ask for their clients' immediate release by writ of mandamus.

Await Decision

Six other negroes under sentence of death in connection with the uprising in which several white persons and an undetermined number of negroes were killed, await disposition of their case in fedarl court here. The defense counsel has applied for a writ of habeas corpus, asking Judge Jacob Trieber to decide whether the negroes received a fair trial at Helena, in Phillips county.

The negroes named in today's court decision are Ed Ware, Albert Giles, Joe Fox, John Martin, Alf Banks and Will Wordlow. The verdict of guilty on the first trial at Helena was reversed because the jury failed to name the crime for which they found the defendants guilty; reporting merely that they were guilty as charged. The second reversal was on the ground that there were no negroes on the jury, the supreme court holding that they did not therefore receive a fair trial.

The scheduled third trial at Marianna, in Lee county, was postponed on motion of the state.

The so-called Elaine rioting occurred in October, 1919, when an automobile occupied by white men was fired upon near a negro meeting house at Hoop Spur, in Phillips county. Later developments showed that a large number of armed negroes were in the meeting house and that armed sentries patrolled the vicinity.

In the disturbances which followed federal troops were ordered to the scene from Camp Pike by Gov. Brough who accompanied the troops in person. Order was restored after two members of the Helena post, the American Legion and other white persons had been killed, as well as a number of negroes.

It developed that the negroes had been induced by agitators who passed themselves off as government agents to arm themselves and drill in preparation for the time at which they were told they should take over control of the community where they lived.

Collections Made

Collections were taken in many places for the defense of the negroes arrested in connection with the affair and nation wide interest was aroused in the case. In addition to the twelve defendants who have been sentenced to death, a large number were sent to the state penitentiary to serve terms of varying lngths.

MINNEAPOLIS MORNING TRI
MARCH 14, 1923

Current Comment

JUSTICE FOR THE NEGRO.

A large number of Negroes, tenant farmers, claiming to have been reduced to virtual peonage, met in a church at Hoop Spur, Phillips county, Ark. A mob of white men fired volleys into the church. The Negroes defended themselves. In the disturbance that ensued one white man was killed. Thereupon a dozen Negroes were arrested, accused of murder, tried before a white judge and a white jury, convicted and sentenced to death. This was in 1919. A federal court writ prevented the executions. The case was carried up to the tribunal of last resort, Arkansas claiming that United States courts had no authority to interfere with her exercise of "police powers." The Supreme court of the United States turned down this contention as without merit, suspended the sentences and directed the district

federal court to decide whether the Negroes had had a fair trial. So far as we know, this action is without precedent. * * * Rich or poor, black or white, the citizen must be protected against outrage under the color of local law. Race prejudice is a real thing. "No state shall make any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws." So the organic law of the nation reads. But in three cases—Barbler vs. Connolly, 113 U. S. 27; Powell vs. Pennsylvania and Mugier vs. Kansas—it had been held that "the amendment does not interfere with the police power of the states," and a New York decision has defined the police power as "including everything essential to public safety, health and morals." The shift of the ruling judicial view is apparent.—Brooklyn Eagle.

SIX FACING DEATH 3 YEARS RELEASED

Arkansas Negroes Were Convicted Twice of Part in Elaine Riot.

By the Associated Press.

LITTLE ROCK, Ark., June 26.—Six negroes, twice sentenced by Arkansas courts to be electrocuted after twice being convicted of murder in connection with the Elaine insurrection in October, 1919, are at liberty today, a misunderstanding or contradiction of orders having brought them release early this morning, suddenly and unexpectedly, as they stood knocking at the outside gates of the state penitentiary, near here.

Sheriff A. L. Calloway of Lee county had brought them from the jail at Marianna on orders from Judge E. D. Robertson of the Lee county circuit court, he said. Warden Hamp Martin had no orders to receive them, he said, and refused to admit them. They were set free.

Recovering from their bewilderment, the six, with attendant relatives and attorneys, climbed into automobiles and returned to Little Rock to spend the night as they pleased for the first time since, three and a half years ago, they were arrested and charged with complicity in the uprising which resulted in the death of several white persons and an indeterminate number of negroes and the calling out of the United States troops.

Court Dismisses Case.

An opinion of the Arkansas supreme court yesterday directed the dismissal of the case against the negroes on petition of defense counsel, which asserted that two terms of court in Lee county, where their third trial had been set have passed without their having been brought to trial.

The negroes, Ed Ware, Joe Fox, John Martin, Alf Banks, Albert Giles and Will Wordlow, agreed before leaving the penitentiary grounds that they would meet in the office of an attorney in Little Rock today, when further action on their status is expected.

Six other negro defendants in the Elaine affair are in the penitentiary here awaiting action of Federal Judge Trieber on their habeas corpus plea, which was based on the alleged ground that they did not receive a fair trial at Helena, in Phillips county, the locality of the insurrection.

Verdict Was Reversed.

The first reversal of a verdict of guilty and a sentence of death in the case of the negroes released was caused by the failure of the jury to name the offense for which it found the defendants guilty. Its verdict was, "Guilty as charged."

Reversal in the second conviction and death sentence was based on the fact that no negroes were on the jury which found the six guilty, the supreme court declaring that they had not, therefore, been guaranteed a fair trial. A change of venue was then granted to Lee county, where at the last term of court the state's attorney requested the postponement of the trial. He explained that witnesses by whom he had obtained convictions in former trials were not available.

Riot Occurred in 1919.

The Elaine trouble started when a party in an automobile, including an officer, was fired upon early in October, 1919, by persons concealed near a negro meeting house at Hoop Spur, in Phillips county. Investigation later disclosed that armed negroes were patrolling the vicinity of the house, in which a great number of negroes were congregated, armed.

In operations by federal troops and posses hundreds of negroes were captured and disarmed. Quiet was restored after several white men, including a deputy and two members of the Helena American Legion post, had been killed. The negroes, it developed, had been persuaded by an agitator, posing as a government agent, to arm and drill in preparation for the day when they should take over control of affairs in that section.

A NEW CHAPTER IN THE HISTORY OF THE ELAINE CASES

For the third time sixe of the Elaine cases are before the Supreme Court of Arkansas. Every time these cases have been before our highest court this court has reversed the lower courts by deciding the cases against the State and in favor of the defendants. Every time these cases, as well as the other six have reached the highest courts, either the Supreme Court of the United States, or the Supreme Court of the State of Arkansas, they have been decided in the defendant's favor. Had it not been for these just and impartial decisions rendered by the highest Tribunals of the State and Nation the bodies of these defendants would be mouldering under the clay. A new chapter in the history of these cases was begun Monday morning when the attorneys for six of these defendants filed in the Supreme Court of Arkansas the following petition for review of the action of the Lee Circuit Court in overruling their motion to dismiss their cases for want of prosecution. Petition for review:

PETITION FOR REVIEW

The petitioners, Ed. Ware, Albert Giles, Joe Fox, John Martin, Alf Banks and Will Wordlow, respectfully petition this court to review an order of the Lee Circuit Court overruling their motion to discharge them for want of prosecution made at the April 1923 term of said court, and for cause state:

Petitioners allege that they were indicted for the crime of murder in the first degree in the Phillips County Circuit Court at the October term 1919 that they were tried at said term of court, were convicted, and upon appeal to this court said cases were re-versed and remanded for a new trial; that at the May, 1920 term of said court petitioners were again tried on said indictments and were again convicted for murder in the first degree and upon appeal to this court said causes were again reversed and remanded for a new trial; that at the May 1921 term of said court petitioners made application to the Phillips Circuit Court for a change of venue and upon a full hearing of said motion said causes were tranferred to the Lee Circuit Court, and certified copies of said order are contained in the certified copy of transcript attached and made a part of this motion; that said petitioners were tranferred to the Lee County jail, where they are now confined, and that at the October 1921 term of the Lee Circuit Court said causes were continued for the term by consent of the parties; that at the April 1922 term of said court these petitioners filed in open court a motion to have their cases set down for a day certain for trial at said term of court; that said cases were not tried, but were continued for the term without the consent of thes petitioners, who were present demanding a trial; that at the October 1922 term of said court these petitioners again filed a motion in open court asking that their cases be set down for a day certain for trial; that said cases were not tried but were continued for the term, in spite of the fact that the petitioners were present and demanding a trial; copies of said motion are contained in the certified transcript attached herewith.

Petitioners further state that at the April 1923 term of said court they filed in open court their motion for a discharge on the ground that they had not been brought to trial before the end of the second term of the court having jurisdiction to try said cases after the finding of the indictments; that upon a full hearing of said motion and response thereto, filed by the State, as well as the oral testimony taken thereon, the court found that there had been time to try said causes at the April and October 1922 terms of said court and that the petitioners had not consented of their causes, but the court overruled said motion to discharge; copies of said motion and orders and the transcript of the testimony taken by the court reporter of the court are contained in the certified transcript attached hereto; that the petitioners filed their motion for a new trial, which was by the court overruled; that the petitioners prayed said court for an appeal to this court, which prayer was denied.

Petitioners state that they have been confined in jail in Phillips County and in Lee County since the finding of their indictments at the October 1919 term of the Phillips Circuit Court; that they are now confined in the Lee County Jail.

Petitoners state that at the April 1923 term of the Lee Circuit Court said causes were continued for the term, on motion of the State.

Petitioners state that at no time since the October 1921 term of the Lee Circuit Court have they consented to continuance of their causes, but to the contrary, have been present and de manding a trial, as heretofore set out.

Petitioners further staet that by reason of said delay they have not been brought to trial before the end of the second term of the court having jurisdiction of the causes and that they are entitled to a discharge from the offenses charged agains tthem and that they are thereby being deprived of their liberty, in violation of the Constitution and laws of the State of Arkansas and of the United States; that the Lee Circuit Court, at its next October Term 1923, will proceed to try said causes, unless prevented by this court, and that said court has no jurisdiction to try same; that for the Lee Circuit Court to try said causes will cause these petitioners to expend large sums of money in the preparation of their defense and in the procurement of witnesses, which they are unable to bear.

Wherefore, petitioners pray that an appeal be granted from said final order of the Lee Circuit Court overruling their motion for a discharge and upon final hearing that they be discharged from said indictments and from custody, and as an alternative prayer these petitioners pray that a writ of certiorari issue, directed to the Clerk of the Lee Circuit Court commanding and directing said Clerk to send up forthwith to the Clerk of this court a certified transcript of the records and proceedings of said petitioners for discharge for review by court and that upon final hearing that they be discharged from said indictments and from custody; and also the further alternative prayer for a writ of prohibition directed to the judge of the Lee Circuit Court Hon. E. D. Robertson and the Prosecuting Attorney, the Hon. C. E. Yingling, prohibiting them from proceeding to try your petitioners on said indictments and that upon a final hearing said petitioners be dischafged from said indictments and from custody.

Respectfully submitted,

Riots—1923. I Elaine.

SCIPIO JONES.

The Freeman Ind. 5/5/23

The decision handed down by the Supreme Court in the Elaine riot cases is not only another great victory for the National Association for the Avancement of Colored People, but it throws on the screen for public gaze the name of Scipio Jones, a noted colored criminal lawyer of Little Rock, Ark. Anywhere below the Mason and Dixon line when talking of great lawyers, you will be sure to hear the name of Scipio Jones. For twenty-five or more years Jones has been an outstanding lawyer of Little Rock, highly respected by both races. Scipio Jones took an active part in the riot cases from the very beginning and fought persistently, courageously and doggedly until victory was achieved. While it is true that others associated with him, on the other hand, he played no minor part. He was an attorney of record in the lower courts; he prepared the briefs for the many appeals and followed the case into the Supreme Court of the land.

The success of Scipio Jones and the remarable standing of many brilliant colored lawyers troughout the Southland indicates that after all the Southland is not such a terrible place, at least not a hopeless place for the Negro. Traveling through the South an noticing the wealth of the colored man, beautiful homes, big business enterprises on the main streets, not in segregated neighborhoods, colleges teeming with bright and promising young men and women, one cannot help but wonder if it is not possible that we are working at the race problem from the wreng angle. Have both races, white and black, missed the point? Surely there is some common platform on which the races can stand.

SCIPIO JONES

Another thing, that, as a rule in condemning the South, we overlook. We overlook the fact that there are many counties in every State where the relation between the races is about all that one could expect. In such counties lynchings have never occurred. Courts are fair and impartial and the law of the land is supreme. While we rightly condemn the South for its inhuman practices, but is it right that we should indulge in wholesale condemnation without exception?

ELAINE RIOTERS RELEASE STUNS HELENA FOLKS

HELENA, July 6.—Sudden and unexpecting freeing of six of the Negroes charged with murder in connection with the Elaine insurrection of October, 1919, has fairly stunned Helena, and expression of opinion is not so general as might be expected.

The terse comment of Col. P. R. Andrews, who assisted the state in prosecuting the cases appears to be generally endorsed when told today of development at the penitentiary gates last night. Colonel Andrews declared: "Looks to me, like somebody has blundered." Later, he expressed the opinion that, if the information received here was correct, the case so far as Ed Ware and his five fellow defendants are concerned, had come to an end.

Members of the local post of the American Legion, who fought tenaciously to have the sentence of the lower court carried out, have had little to say of the latest developments in the case. Under the surface, however, there is an apparent resentment, at whom directed nobody knows.

The hope has been expressed that something will occur during the next 15 days to again bring the six Negroes before the bar of justice. This desire has been heightened by reports that attorneys connected with the prosecution said new evidence might be uncovered which would strengthen the state's case. The nature of this new evidence was not disclosed.

The liberated Negroes reported at the office of Scipio Jones, one of their attorneys, as instructed the night before. Jones already had called on the attorney general at the state capitol, promising him that in event the state decides to imprison the Negroes again, he will surrender them immediately.

It was announced before the Negroes left the penitentiary hill that they were to report at their attorney's office. A change was made yesterday morning in order to avoid a crowd.

Their attorneys announced that the Negroes will remain here until a definite opinion is handed down by the attorney general. Most of them have been engaged to appear in local Negro churches to address the congregations, providing authorities do not interfere in the meantime.

The case has attracted national attention, because of the methods adopted by a certain inglorious group of whites to keep Colored cotton growers in a state of practical serfdom. The condition existed for a number of years, and was finally resented by the Colored farmers, the turn of affairs finally resulting in the unfortunate Elaine riots, the white owners resenting the farmers' request for fair accounting. Public sentiment of the better class of whites, and of the Colored people, has been back of the victims ever since the unfortunate trouble.

The men have been facing death's door for almost four years. There has been patience, but grim determination on the part of those believing in justice before the law, in handling the cases. The victims, who are now the beneficiaries of the court's decision, have been willing to leave their fate in the hands of legal authorities whom they believed would use every honorable means for a fair review of the case. The best legal talent has been engaged. Scipio Jones of Helena being chief of staff.

The N. A. A. C. P., with headquarters in New York, has been aggressive in raising funds and in employing its best resources in bringing about justice for the men involved, Walter White of the organization making an investigation and report which brought to light many of the facts in the case. Many organizations and churches in Arkansas and throughout the nation have co-operated in making the fight a success. The charter of the K. of P.'s of the state was threatened because of their help. Olivet Baptist Church in Chicago raised a considerable sum which they sent to Mr. Jones, while two Illinois senators co-operated effectively in aiding a fair hearing. More than two years ago their attorneys applied for a writ of dismissal under the Arkansas statute of limitations. The Circuit court denied the application, whereupon the Association attorneys appealed to the state Supreme Court, gaining the decision of reversal. The cost of legal defense has amounted to more than $14,000. The decision marks the beginning of the end of the greatest case of its kind in the history of America. Six more men await the action of the state courts. It is reguarded as certain that they will be freed.

Something Achieved

Whatever else may be said of the N. A. A. C. P., unstinted credit belongs to its untiring activity in behalf of those Arkansas farmers whose lives were about to be snuffed out by the hand of prejudice and Southern "speedy" justice. The Arkansas court, following orders from a higher tribunal, has ordered the release of the men. For this ray of light along our benighted road, let us give thanks to those whose hands and heads directed the rescue of our ill-fated brethren.

And there is another benefit which comes to us all, and which we might not have received, had not the hasty judgment of the court been reversed. We refer to the established practice of giving Negroes a hasty trial to escape the lynchers. The reversal of the court and its hasty action serves notice that there must not only be a trial, but a trial clothed with all the formality, dignity and impartial rulings common to trials in our highest tribunals.

The net benefit will not dawn upon us until in after years. Precedent is a most valuable thing, at times. In future years, when a kindred situation is brought before the courts of the land, the rulings, findings and orders of court in the case of the Arkansas farmers will be referred to with pride and confidence.

The N. A. A. C. P. may catalogue this case as one living thing actually accomplished.

SIX ELAINE NEGROES STILL FREE ON WARDEN REFUSING CUSTODY

Men Who Escaped Electric Chair Not Likely to be Imprisoned Again, But They Meet Lawyer and Arrange to Speak in Churches at Little Rock Sunday

LITTLE ROCK, ARK., June 26.—The six Elain negroes freed unexpectedly at the gates of the state prison early this morning when the Lee county sheriff relinquished control over them and the prison warden refused to accept them, probably will not again find themselves in custody, it appeared tonight.

The state supreme court yesterday ordered their release after they had faced the probability of execution in the electric chair for more than three years and no official, it appears, is interested in holding them until they are released in a more "official" manner.

For the present the negroes are living with relatives and friends within six blocks of the prison where they spent many months during the involved litigation following their conviction of murder in Phillips county as an aftermath of the insurrection of October, 1919. They assembled today at the office here of a negro lawyer as they had promised but nothing occurred to disturb their continued freedom.

The lawyer said tonight that the six will remain here, ready for any disposition that may be made of their cases. Most of them are scheduled to appear next Sunday in local negro churches to make talks unless authorities interfere.

JUST PRECAUTION

MARIANNA, ARK., June 26.—Transference of the six Elain negroes from the Lee county jail here to Little Rock by his orders, Judge E. D. Robertson, of the Lee county circuit court said today, was merely a precautionary measure.

"I do not think there was any danger of trouble from residents of Phillips county," Judge Robertson said, " and there has been no display of feeling here against the negroes who were released at Little Rock early early today. But as a precaution I ordered Sheriff Calloway to take them and turn them over to the penitentiary authorities."

Sheriff Calloway who released the six Elaine defendants early today when the state prison warden refused to admit them, returned home here today. Of his action, Judge Robertson said:

"The sheriff carried out his orders exactly. I told him to take the engroes to the penitentiary and if the waren would not accept them turn them loose in the warde presecnce."

ELAINE NEGROES SEEK DISMISSAL

LITTLE ROCK, ARK. GAZETTE
MAY 12, 1923

Six Twice Condemned to Death Ask Release on Technicality.

Alleging that since their indictment two terms of court have passed without their being brought to trial, attorneys for the six Elaine negroes, now held in Lee county, yesterday filed a motion for discharge in the Arkansas Supreme Court. The motion is an appeal from the Lee Circuit Court, where a similar motion recently was overruled.

The statute under which the negroes claim a right to discharge is Sec. 2132 of Crawford and Moses' Digest, as follows:

"If any person indicted for any offense and committed to prison shall not be brought to trial before the end of the second term of the court having jurisdiction of the offense which shall be held after the finding of such indictment, he shall be discharged so far as relates to the offense for which he was committed, unless the delay shall happen on the appeal of the prisoner."

The six now held in Lee county are: Albert Giles, Joe Fox, Ed Ware, John Martin, Alf Banks Jr. and Will Wordlow. According to the information set out in the motion for discharge, they were indicted for murder in Phillips county in October, 1919, and tried and convicted in the October term of the Phillips Circuit Court. The death sentence affixed in the lower court was reversed on technicalities by the Supreme Court, and the cases remanded for new trial.

The second trial was had in May, 1920, resulting again in the death sentence which was again reversed and remanded by the Supreme Court. In May, 1921, the negroes applied for and received a change of venue to Lee county and were transferred to the Lee county jail, but soon afterward were transferred back to Phillips county, where they were held from November, 1921, to April, 1923, when they were sent back to Lee county on order of Circuit Judge Robertson. The motion alleges that the prisoners have moved that a day for their trials be set, but two terms of court have passed without their coming to trial. Copies of their motions are attached to the motion for discharge.

The motion probably will be submitted to the Supreme Court Monday.

SIX ELAINE NEGROES WIN IN HIGHEST COURT

Will Be Released Because of Failure to Try.

CASE IS NOTORIOUS ONE

Men Were Charged of Armed Revolt in Phillips County and Have Waited Trial Ever Since—Six Others in State's Prison.

LITTLE ROCK, Ark., June 25.—Failure of the state to try the six Elaine negro rioters within two years as provided by the Arkansas statutes is responsible for an order issued by the Arkansas Supreme Court today for the negroes' discharge from custody within 15 days. The six negroes who will regain their liberty are the six negroes who win their freedom after one of the most bitter legal fights in the history of the state are: Ed Ware, Albert Giles, John Fox, John Martin, Alf Banks and Will Wortlow. The negroes now are in jail at Marianna, where they were taken on a change of venue from the circuit court at Helena.

Six Others in Prison.

Six other negroes, convicted at the same time for participation in the 1919 riot at Elaine that cost the lives of several prominent Helena citizens, are still in the penitentiary. They are: Frank Moore, Frank Hicks, J. E. Knox, Ed Hicks, Paul Hall and Ed Coleman.

Their cases are now in the federal court to determine if they secured fair trials when convicted at Helena. Justices Hart and Humphreys dissented in the opinion handed down today. The majority of the court in the opinion said:

"The right of immediate freedom and a discharge from all the consequences of the offense charged against them (the defendants) were certainly most sacred rights. They bear the brand of the magna charta.

"Did the court err in overruling appellant's motion to be discharged? We are not concerned with the policy of the law. That is for the Legislature. But as its manifest purpose is to promote dispatch on the administration of justice, it must commend itself to the enlightened judgment of everyone who loves law and order as a wise as well as humane enactment.

"Justice delayed is justice denied," says Mr. Gladstone.

"It is highly important to the public weal that those accused of crime shall be brought to speedy trial in order that, if guilty, public justice may be meted out without delay. This is as powerful a deterrant to the commission of public offenses as is the knowledge that condign punishment will follow when the law-breaker is overtaken in his crime.

Reason for the Law.

"It is also humane and just to the accused, who may be innocent, because it imposes upon the ministers of justice the obligation not to unnecessarily delay the trial of the charge upon which the state has lodged against him and to afford him an opportunity to prove his innocence before he has been compelled to endure a prolonged punishment by imprisonment beyond the end of the second term of the court after the term in which he was indicted."

The court held that the reasons given by the state for continuance of the cases were insufficient, and were equivalent to this statement: "There are some witnesses somewhere scattered through the state who, if found, will furnish material evidence for the prosecution, and if the cause is continued, the state will endeavor to produce them."

The cause offered was far too indefinite and too vague to justify continuance, the court held. A number of previous decisions were cited to show the law providing for dismissal of defendants who have been denied trial in two consecutive terms of court.

The negroes ordered discharged were once convicted and sentenced to be electrocuted, but their cases were reversed by the supreme court and another trial ordered.

Sometime during the afternoon of Sept. 30, 1919, Sheriff F. F. Kitchens, who had been ill for some days, received a message from Elaine, an important commercial and industrial center in the southern part of Phillips County, requesting that he send officers to arest John Payton Clem, alleged white bootlegger, who, it was said, had "gone on a rampage" and threatened the lives of his brother's wife and other persons.

Deputies Go To Scene.

Deputy Sheriff Charles Pratt, accompanied by Special Agent W. A. Adkins of the Missouri Pacific Railway and a negro trusty were dispatched to Elaine to take Clem into custoday. The three men left Helena in an automobile, going via Hoop Spur. Arriving at Hoop Spur about 11 p. m., the party stopped to repair a punctured tire. While engaged in this work a fusillade of shots fired unexpectedly from the darkness killed Adkins and shattered Pratt's knee. The negro trusty was not injured. Pratt and the negro escaped from the scene, leaving Adkins' body where it fell in the roadway.

Thirty minutes later W. K. Monroe, a civil engineer and member of the firm of Monroe Parmelee of this city, on his way south to a camp which his firm had established near Elaine, arrived on the scene of the tragedy and saw Adkins' body lying beside the deserted automobile. He stopped to investigate and was fired on from the darkness. Some small shot struck him in the face and arm, and he took cover in a ditch beside the road. Later, observing that all was quiet, he walked to his automobile and began turning the crank of its engine. He was again fired on, but succeeded in starting his engine, and, springing into his car, grasped the steering wheel and sped away toward Elaine.

Close by where the officers and the engineers' automobiles had stopped was a small negro church and subsequent developments disclosed the fact that more than 100 negroes were holding a secret meeting in the building at the time. Participants in the meeting were armed and armed sentinels were patroling the vicinity when the first automobile stopped in the road. It was these sentinels who killed Adkins and wounded Pratt and Monroe. This fact came to light in statements made later by negro prisoners taken by civilian posses and United States soldiers, which latter had been sent to Elaine to help restore order.

Telephones to Helena.

Deputy Sheriff Pratt, though painfully wounded, crawled to the Memphis, Helena & Louisiana Railroad and flagged a passing freight train. When he told the train crew of the tragedy at Hoop Spur, the conductor ordered the train backed to a nearby station, where there was a telephone. Pratt called up Helena and told the story of the killing of Adkins and the wounding of himself. He did not at that time know what had become of the negro trusty, but the man afterwards returned to Helena and fully corroborated Pratt's story.

Sheriff Kitchens sent a posse of 10 men to Hoop Spur and called for volunteers to follow them. The first posse, in charge of Chief Deputy J. R. Dalzell, reached Hoop Spur in the early morning of Wednesday, Oct. 1, and were shortly in contact with a large force of armed negroes. Dalzell and his posse fought their way to Elaine, establishing headquarters there and sending an urgent message to Helena asking Sheriff Kitchens for reinforcements. These were dispatched immediately by special train, supplied by Assistant Superintendent J. D. Moore of the Missouri Pacific Railway, and additional forces were dispatched in automobiles.

Soon reports of heavy fighting in the vicinity of Hoop Spur began to reach Helena, and the whole city was seething with excitement. A telephone message from Elaine said fighting was in progress in the streets of that town. This message came from the girl telephone operator, who was sobbing hysterically as she transmitted the statement, and a few minutes later citizens of Elaine sent an urgent message asking Sheriff Kitchens to telegraph Gov. Brough for troops. There had been no fighting in Elaine. The telephone operator had heard the firing at Hoop Spur and her overwrought nerves did the rest.

Citizens in Posse.

Posses sent to the scene of the fighting were composed of citizens of Helena, many of whom were members of Richard L. Kitchens Post No. 41, American Legion, with headquarters here. The posse of legionnaires was in charge of Herbert Thompson, late captain A. E. F. Other posses were headed by Chief Deputy Dalzell, Edwin Bevens, chairman of the Phillips County Council of Defense; Maj. Joseph C. Meyers, late of the Arkansas National Guard, and former Sheriff Amos Jarman. Sheriff Kitchens was too ill to go to the scene. It was later found necessary to name an acting sheriff, and Sebastian Straub was selected to act for Sheriff Kitchens.

Before noon on Wednesday, Oct. 1, reports of sanguinary engagements with negroes in the vicinity of Hoop Spur, Elaine, Ratio and Countiss—all situated on the M., H. & L. Railroad north of the Arkansas River—were thick in Helena. Exaggerated estimates of casualties flew about and excitement here was at high pitch. Telephone and telegraph wires between Helena and Elaine were monopolized by the authorities, and it was a matter of impossibility to secure a connected report on the actual situation. But it was known that Clinton (Buddie) Lee had been killed outright and that James A. Tappan and Ira Proctor had been desperately wounded. All three were members of the local post of the American Legion. Early in the afternoon a special train arrived in Helena, bringing the body of Young Lee, and on the same train came the two wounded legionnaires, who were rushed to the hospital. Jimmie Tappan, who had been shot in the head and face, died early in the evening. Proctor, with a wound in his forehead, lingered for days between life and death. He survived his injuries, however, and is now in the best of health. It was said that all three of these young men were shot with high-powered rifles.

Insurrection Planned.

The character of the fighting and the number of armed negroes reported in the vicinity of Hoop Spur indicated an insurrection, and literature found in the various lodgerooms of the Progressive Farmers' and Household Union of America, a negro organization, and in possession of its members, served to strengthen the insurrection theory. This theory became an established fact when prisoners taken in the vicinity of Hoop Spur and other points in the lower part of Phillips County told their stories to the authorities. According to these statements, negro tenant farmers had banded themselves together for the purpose of killing off the white land owners and taking over the land themselves. The insurrection was to have occurred on Monday, Oct. 6, but the tragedy at Hoop Spur on the night of Sept. 30 caused it to develop prematurely, and it is believed that this accidental development saved the lives of many persons, black and white.

When fully advised of the situation at Elaine and Hoop Spur the authorities here apprised Governor Brough of the facts so far as could be ascertained and urged him to send troops from Camp Pike to put down the insurrection and restore order in the disturbed section of the county. Later in the day telegrams from the governor and Adjutant General England stated that 500 troops under command of Colonel J. C. Jenks would leave Camp Pike for Elaine, going via McGehee by special train.

The troops arrived at Elaine on Thursday, accompanied by the governor himself. The military and civil authorities co-operated in rounding up insurrectionists and preventing further outbreaks. Sporadic clashes with negroes occurred throughout the day. Governor Brough and Col. Jenks were fired on by negroes hidden in the canebrakes, but neither of them was injured. Corporal Luther Earls, company H, fourth infantry, was shot in the head and lungs while leading his squad against a force of negroes hidden in the cane. Corporal Berlo B. Gay, headquarters company, fourth infantry, was shot in the chest. Two other soldiers were wounded accidentally. Corporal Earls was brought to Helena and taken to the hospital, where he died within a few hours. The other wounded soldiers recovered.

Used Machine Guns.

The troops used machine guns with telling effect, sweeping the canebrakes and clearing them of insurrectionists. They were under orders to shoot every negro who failed to halt when ordered to do so, and they obeyed orders. Soldiers and civilians combed the country in the vicinity of the insurrection and took hundreds of prisoners, many of whom were women. Rifles, shotguns and pistols were confiscated by the hundreds. A lieutenant returning from a drive through the cane was asked how many guns he had captured. "I don't know," he answered; "we brought out two truck loads." Some of the women arrested and placed in the stockade at Elaine are said to have carried automatic pistols concealed in their stockings, and many of the men were equipped with high-power rifles.

On Thursday four negroes named Johnston, all brothers, were apprehended at Countiss, a few miles south of Elaine. One of them D. A. E. Johnston, conducted a dental office at 225½ Walnut Street, this city. The brothers were suspected of complicity in the insurrection plot, and evidence subsequently developed amply justified the belief that if they were not actual participants it was through them that the negroes taking part in the insurrection secured their high-power rifles and ammunition. The Johnstons were placed in an automobile and started toward Helena. Accompanying them as guards were Alderman O. R. Lilly, former sheriff; Amos Jarman and Deputy United States Marshal W. T. Molitor, all of this city. A negro employed as chauffeur by Alderman Lilly was driving the car. The Johnstons were chained together in the rear seat of the machine and their guards sat in front of them. At a spot not far from the Key Place, between Helena and Elaine, one of the Johnston brothers snatched Alderman Lilly's pistol from its holster and shot him to death before the other two guards could interfere. This Johnston and his three brothers were immediately shot to

Riots — 1923. II

Elaine.

death by Messrs. Jarman and Molitor and some other citizens who drove up in another automobile. The killing of Alderman Lilly and the four Johnston brothers is thus described by former Sheriff Jarman:

"We had no handcuffs, so we chained the Johnston's feet together and placed them in the rear seat of Mr. Lilly's car.

Find Many Rifles.

A search of D. A. E. Johnston's dental offices in this city later in the afternoon resulted in the discovery of a number of heavy-calibre rifles and several cases of ammunition. The rifles, it is said, were all loaded.

With the arrival of reinforcements citizens in the town and vicinity began sending their wives and children to Helena. Where comfortable quarters had not provided for them, armed "gondola" loaded with these refugees was fired on from the tops of trees along the right of way by negroes, but no one was hurt.

Red Cross nurses went to Elaine from Helena to care for the wounded irrespective of color, and the work of restoring order proceeded rapidly. Prisoners were taken from the stockade at Elaine in batches of twenty or thirty and sent to Helena, where they were subjected to rigid examinations by the Committee of Seven.

One hundred troops under command of Major Nathaniel Cullen, were sent to Helena from Elaine to guard the city hall, county jails and patrol the city until public confidence was restored. On one night only was the city under military control and on this occasion a cordon of troops was thrown around the courthouse and jails with orders to permit no one to cross the lines without a written permit. There was never the slightest indication of mob violence, and business in Helena soon began to assume its normal course.

123 Are Tried.

Of the several hundred alleged insurrectionists examined by the committee of seven 143 were held for investigation by the grand jury, which began its inquisitions when circuit court convened on October 27. Indictments charging murder and night riding were returned against 122 of the accused negroes, 21 of the original 143 held for investigation being released. The first public hearing of testimony in the cases was begun when Frank Hicks, alleged slayer of Clinton Lee, was arraigned for trial. Judge J. M. Jackson, of the circuit court, had previously assigned counsel for such of the defendants as were unable to employ attorneys, and the state was represented by District Attorney John E. Miller, Assistant District Attorney E. M. Pipkin and former District Attorney P. R. Andrews.

Of the 122 defendants 12 were found guilty of murder in the first degree and sentenced to electrocution, a few were released by the juries, and the remainder were sentenced to terms in the penitentiary, varying from 5 to 21 years. The 12 negroes sentenced to death appealed to the supreme court with the result that six of the verdicts were affirmed and six reversed and remanded because of a defect in the wording of the verdicts, which declared the defendants guilty of murder, but did not specify the degree. The negroes were represented before the supreme court by Colonel George W. Murphy of Little Rock, former attorney general of Arkansas, and one of the ablest criminal lawyers in the state.

KID COLLINS "HERO" IN ELAINE RIOT OF 1919 SLAIN BY A WHITE MAN

Was The Trusty Who Drove Officials Car To Hoop Spur And Notified Co unty Officials Of Riot

Preston News Service

HELENA, Ark., July 3.—"Kid" Collins, who drove the auto carrying officers to Hoop Spur in 1919, was shot and killed by "Pickhandle" Smith (white), near Elaine, early Tuesday morning. It is said that Collins and his wife were having an altercation when Smith attempted to separate them, and claims that he had to shoot Collins in self defense.

Collins was trusty of the Phillips county jail in September 1919 and drove the car to Hoop Spur carrying the sheriff and other officials. After the officials had been slain by the rioters it is said that Collins succeeded in escaping and notifying the county officals of the trouble. It is said that for a brief season Collins was regarded by Arkansas whites as a hero.

Elaine "Rioters" Release Is Vindication Of Kerlin

Associated Negro Press.

WASHINGTON, D. C., July 4.—Prof. Robert T. Kerlin, who wrote a letter of protest to the Governor of Arkansas, concerning the unfairness of the trial of the Elaine men just released, has been vindicated, in his opinion. Because of his letter, Prof. Kerlin was summarily dismissed as Professor of English at the Virginia Military Institute, Lexington, Va.

SUPREME COURT OF ARKANSAS ISSUES ORDER FOR RELEASE

Action Believed to Mark Beginning of End of Famous Arkansas Riot Case—Six Men Released After Fight of More Than Four Years.

The following telegrams were received at this office Tuesday morning and are self-explanatory:

Washington, D. C., June 25.
Pittsburgh Courier Publishing Co.,
518 Fourth Ave., Pittsburgh, Pa.

"The National Association for the Advancement of Colored People is advised by Scipio A. Jones, its attorney at Little Rock, Ark., that the Supreme Court of Arkansas, by a decision rendered this day has ordered the Elaine prisoners released."

New York, N. Y., June 25.
Pittsburgh Courier,
518 Fourth Ave., Pittsburgh, Pa.

"The Arkansas State Supreme Court today reversed the Circuit Court and ordered six Elaine defendants discharged. These are six cases in which State Supreme Court twice reversed Phillips County convictions. Men have been awaiting retrial for more than two years. We applied for writ of dismissal, whereupon we appealed to State Supreme Court, gaining decision today after nearly four years of fighting and cost of more than fourteen thousand dollars. This marks beginning of end of greatest case of its kind in history of America."

(Special to The Pittsburgh Courier.)

WASHINGTON, D. C., June 28.—Flashing over the wires from Arkansas to New York and Washington came the news late Monday that six Elaine farmers, held for more than four years, following the fatal Arkansas race riot, had been ordered released from prison by the Arkansas Supreme Court.

The news of the release of these six men is believed to really mark the "beginning of the end," for all the men, and has brought to its final stage one of the most unique and tragic injustices the race has ever been forced to undergo.

Influential Colored citizens, civic and fraternal organizations, headed by the N. A. A. C. P., have staged an unceasing barrage of protests ever since the men were arrested. More than $14,000 has been spent in a mammoth effort to keep the ends of justice unthwarted, and to release the sixteen unfortunate men who had been slapped into prison at the height of the disorder.

Twice convicted by the Phillips County Court, and with the decision twice reversed by order of the State Supreme Court, the case was brought to a head early this year, when Moorfield Storey, former president of the American Bar Association, appeared before the United States Supreme Court in a final plea for justice.

In his speech, Attorney Storey charged that the sixteen men had been practically "railroaded" to the electric chair. The courts of Arkansas, newspapers, leading citizens, the Rotary Club, American Legion and other organizations were included in the startling revelations.

Storey declared in his brief that torture of the most vicious nature was employed "to make the prisoners testify falsely, mob hysteria dominated their trial, which is alleged to have taken place in less than an hour.

At that time, he declared that he had "distinct evidence" that 200 or 300 Colored men were killed during the rioting, that the citizens of Helena "were determined that these men should be convicted," and that "they manufactured the evidence for the purpose."

The sixteen men for whom Storey pleaded at that time were first sentenced to death in 1919, following their alleged participation in the riots, when it is said white farmers tried to place Colored workers in a state of bondage and peonage.

Brief Review of Case

It was contended at the trial in behalf of the accused Colored men that they had assembled in their church at Hoop Spur, in Phillips County, October 1, 1919, to devise means as tenant farmers to relieve themselves of conditions which they asserted amounted to peonage. While so assembled, the men claimed that armed whites surrounded the church and fired upon them, killing a number.

This marked the beginning of one of the fiercest race riots in the history of the country. For days armed posses of men of both races hunted each other as one would hunt an animal. Scores were killed in the outburst, and it is claimed that Colored women were subjected to the most brutal torture and suffered untold indignities.

On behalf the State, it was asserted that the condemned men had assembled in connection with a plot to massacre white men, and that the firing was done by a posse sent to quell the riot.

Decision Marks Real Triumph

The decision of the Arkansas Supreme Court marks a real triumph, not only for the organizations which interested themselves so unsparingly, but for the entire race.

The petition was based on a statute which provides that unless a date for trial is set by the court within two terms from the indictment, the defendants are entitled to dismissal.

The attorneys for the men contended that their cases had been pending for two terms, and that, although they had filed motions in each term to have the day set for trial, the court had not set the day and that they were, consequently, entitled to dismissal under the statute.

Court Frees Six Negroes In Arkansas Riot Cases

By HARRY GODFREY
(Federated Press Staff Correspondent)

NEW YORK.—The six Negro peons who have been awaiting retrial for more than two years, accused of participating in the so-called race rioting in Elaine county, Arkansas, in October, 1919, have been freed by the Arkansas supreme court, a telegram from Little Rock informs the National Association for the Advancement of Colored People. This organization has led the fight to save the lives of the Negroes.

The rioting followed the organization by Negro share-croppers of a local aid society through which they planned to take court action to end the vicious economic exploitation to which they have for years been subjected. To prevent such court action, a rumor was spread that these Negroes had organized to massacre white people and seize their land. Mobs poured into Arkansas and in three days killed more than 250 Negroes. Seventy-nine Negroes were arrested, tried, and twelve were sentenced to death, while the 67 others were given long prison terms.

All the convictions occurerd within three days, while the courtroom was thronged with a mob which threatened death to any juror who voted for an acquittal.

Last February the U. S. supreme court reversed the Arkansas federal court in six of these cases, and the decision of the state supreme court frees the six others who were sentenced to death.

In the opinion of James Weldon Johnson, president National Association for the Advancement of Colored People, the decision marks the beginning of the end of what he termed "the greatest case of its kind in the history of America."

"Back of this case, as back of lynching, lies the fundamental cause of much race antagonism in this country—the desire to exploit Negroes in the south," he said. "The outcome of this Arkansas case is a powerful blow at the iniquitous share-cropping and peonage systems."

ARKANSAS MEN WERE BEATEN WITH TEN POUND BRASS LOADED STRAPS

St. Louis Argus

Back Full Of Scars From The Brutal Treatment Given To Force Them To Confess To Riot Charge

St. Louis, Mo.

Associated Negro Press

ST. LOUIS, Mo., Sept. 5.—Arkansas has lost some excellent timber if the three men whom our correspondent saw and who recently secured their freedom against the injustices attempted in the Elaine riot cases are examples. These men are all married, hard workers, and while unused to northern factory conditions, show the callouses on their hands and say they are glad to be in a free country and are never going back. Whenever the N. A. A. C. P. was mentioned, they smiled their appreciation.

9-14-23

One of these men joined church, Sunday. He twice stood in the shadow of the gallows on a charge of murder and spent, in all, three years and nine months in prison, during which time he was beaten three times with a ten pound strap loaded with copper brads, the last whipping consisting of 104 licks on the bare back. This man's back is full of scars from the brutal beating given in the hope of forcing him to confess a crime which would send him to the electric chair. All these men were assisted out of Arkansas by friendly Colored churches. They left as soon as possible after gaining their freedom, because they knew the atmosphere of any southern community is laden with danger, when a whtie man is defeated in his attempt to mistreat a Negro. Little Rock ruffians, dame rumor informed them, did not intend to tolerate their presence in that city. They are in a welcome community now, good citizens, excellent workers and a credit to their race.

—I. M. R. Staff Correspondent.

Riots — 1923.

Elaine.

LAST ELAINE RIOTERS WILL SOON BE FREED

New York, Nov. 23.—The National Association for the Advancement of Colored People announces that the last of the farmers sentenced to death in conection with the riot of 1919, in Phillips county, Arkansas would shortly be freed.

Of the twelve men sentenced to death, six were released by order of the Arkansas Supreme court. The other six had their sentences reversed by the United States supreme court, to which the association carried their cases after three years of litigation.

In lieu of retrying these men, the Arkansas authorities offered a compromise of conviction of second degree murder, with twelve-year sentence, which leaves the men eligible for parole this year, as they have already served one-third of their terms. This compromise was accepted by the attorney for the N. A. A. C. P., and Governor Thomas C. MacRae has commuted the sentences.

Fifty-nine of the sixty-seven farmers sentenced to life and long term imprisonment have been freed. It is expected that the remaining eight pus have been applied will soon be released.

11-24-23

In connection with this announcement, James Weldon Johnson, secretary of the N. A. A. C. P., issued the folowing statement:

"The wild statements of a plotted insurrection by Negro farmers of Arkansas have now been disproved by four years of court action. The rumors, spread throughout the nation by the press that Negroes were organized to massacre whites are shown to have been without foundation. It should be remembered that although 12 Negroes were sentenced to death and 67 to long terms of imprisonment, not one white man was punished in connection with these disorders in which hundreds of Negroes met their death. All of the Negroes will soon have been released, we hope and expect. That is the best answer to the kind of law and order indulged in by the white people of Arkansas."

U. S. SUPREME COURT HAS ORDERED RETRIAL IN SIX OTHER CASES

N.A.A.C.P. Financed Fight —Atty. Jones of Little Rock Conducted Deferse.

Telegraphic advices to the N. A. A. C. P., 70 Fifth Avenue, New York City, brings information that six of the colored men held under death sentence for alleged rioting in Elaine County, Ark., two years ago, have been ordered released by the Arkansas State Supreme Court, the order being issued on Monday, June 25.

Twelve men were convicted and sentenced to death, but in the six other cases the United States Supreme Court, last February, reversed the state courts and ordered a new trial for the colored men.

Attorney Scipio A. Jones of Little Rock, Ark., conducted the defense from the beginning and to him is due much of the credit for their final release. Moorfield Storey of Boston, president of the N. A. A. C. P., argued the cases of the six men which were taken to the Supreme Court.

It is believed that following this decree by the State Supreme Court, the six cases pending in the Federal courts will be dropped. Sixty-seven other Negroes were given long prison sentences At time of the trial, the court room was jammed with a mob of white men who threatened to kill any juror who voted for an acquittal.

The colored men had organized a legal aid society for the purpose of protecting their interests in the matter of proper division of crops in cases where they worked on shares, as they had been systematically swindled by the white landowners. The landlords realized the danger to them in this movement and started a reign of terror during which more than 250 Negroes were killed Then followed the arrest of the 79 twelve of whom were given death sentenes and 67 sent to prison.

SIX ELAINE RIOTERS FREED FROM DEATH BY ARK. SUPREME COURT

Long Fight in Behalf of Innocent Negroes Who Were Railroaded By Local Courts.

SUPREME COURT OF THE STATE OF ARKANSAS FREES ELAINE NEGROES

The six Negroes convicted of murder some four years ago, in connection with the Elaine trouble was set at liberty through the action of the Supreme Court June 25th. These race men was twice condemned to death in the electric chair, but on Monday June 25th their cases were ordered dismissed. This dismissal was based on an appeal from the lower Court to the Supreme Court. The Motion for dismissal was based on the State Constitution which provides that any cause which fails to be acted upon by the Court, the fault being in the court, entitles the defense to his liberty. The battle leading up to the dismissal was oone of the most intricate legal battles ever staged in the State of Arkansas, but came suddenly to a close Monday when the Arkansas Supreme Court ordered the dismissal of the six race men who twice have been sentenced to death for murder in connection with the Phillips County riot of four years ago which resulted in the death of several White men as well as several race men. The High Court's decree sustains the contention of the defendant's lawyers to their rights under a State Statute providing for the dismissal of any defendant who, for no fault of his own is not brought to trial within two terms of the trial court. Ed. Ware, Albert Giles, Joe Fox, John Martin, Alf Banks and Will Wordlow, were the six race men affected by the decision. These six Negroes were convicted in the Phillips County Circuit Court in November 1919. Six other Negroes also were indicted and convicted of First Degree Murder with the death penalty, but their cases now are pending in the United States Supreme Court on a Motion to Review their trial.

The first conviction was reversed on appeal of Ware and the others dismissed yesterday. The Supreme Court reversed the conviction and death sentence on the ground that the verdict read found them guilty as charged in the indictment, instead of guilty of murder in the first degree as charged in the indictment, the court holding the ommission of the words in the verdict to be a reversable error.

The second trial again resulted in conviction and the death sentence, but was again reversed and remanded by the State Supreme Court which sustained the contention of the Negroes Attorneys that a fair and constitutional trial had not been had because of the fact that there were no Negroes on the trial jury. A change of venue then was asked and granted to the condemned Negroes to Lee County, which was in the same Judicial Circuit with Phillips County where the cases has since been pending. In two successive Court Terms the cases were passed by consent, but in both the April and October Tems 1922, the defendants attorneys had filed motions to have a day set for the trial. In both of these instances the court failed to grant a trial and upon this failure was based the motion of the defendant's attorneys for dismissal, which was approved and ordered by the Supreme Court Monday. The decision of the Court had hardly been written before the news were flashed to the defendants attorneys, and through them to the Negroes themselves. The Lee County authorities lost no time in carrying out the decision of the Supreme Court, for in less than six hours Sheriff A. F. Callaway, of Lee County was knocking at the door of the Penitentiary with the six men, where the Penitentiary authorities refused to receive them. The sheriff therefore left them standing outside the walls of the Penitentiary unmancled without warning them that they were at liberty. Judge Scipio A. Jones, the untiring defendant Counsel and his faithful stenographer, Miss T. W. Johnson, were on hand, together with counsel's better half, Mrs. Jones, to receive and greet them. A happy bunch indeed were these six race men who had been consigned in different prisons of the State for four long and dreary years when attorney Jones and his gentle escorts met them in automobiles at the Station and whispered in their ears the possibility of absolute freedom. The ex-prisoners were visibly affected and behind a stoical disposition were seen to flutter a tear of sweet relief.

Ed. Ware, the Big cheerful manly fellow that he is, seemed to act as spokesman for his fellows, and when asked by the Editor of the Guide how he felt over the entire affair, he said they felt might fine and good and free. Said Mr. Ware, when we first got in this trouble we consulted God and through a vision in the night God promised that he would take care of us. Mr. Ware said that God plainly notified them that he had taken care of prisoners before and had the same love and power and interest in those who put their trust in him that he had in Paul and Silas when he delivered them from the Phillipian jail. Mr. Ware said that we all know now that God is not short of his promise. As an evidence of which said Mr. Ware, we are on our feet to-day, with limbs unshakled and hands untied. Mr. Ware said, while we recognize that we owe all to God in the eternal sense of things, and yet said he, we owe a mighty heap to this little man standing here, as he pointed his grateful finger toward Attorney S. A. Jones, then chimed in Mr. Jones, as he said, giving one of his hearty laughs, the other great attorneys who assisted me must share a part of the triumph that is ours today. Judge Jones trembled in his speech as he referred to Col. Geo. W. Murphy, whom he said was one of the ablest counsels who ever appeared before a legal bar and who had rendered invaluable service. Mr. Jones said that the firm of McHaney and Dunaway of Little Rock, Main & McCulloch, and Judge R. D. Smith, of Marianna, had entered whole heartedly and shared a big honorable part in the present victory. When asked as to their future plans, Mr. Ware said, he was too glad yet to study about plans, that he would first have to enjoy a few days of freedom and liberty and hand shaking with his friends and the sweet carresses of his loved relatives before he considered any plans at all, thus winds up one of the hardest fought legal battles on record in the annals of the Courts of Arkansas. The lady friends of the men were almost overcome with joyful emotion and stalked proudly about, now and

then wiping from their feminine eye
a tear of thanksgiving.

Riots – 1923.

Moorfield Story and Scipio Jones Made Plea and Present Brief in Behalf of Elaine Farmers Under Death Sentences.

1-20-23 Dallas Express

Washington, D. C., Jan. 18.—Moorfield Storey, former president of the American Bar Association and now president of the National Association for the Advancement of Colored People, on Tuesday, January 9th, appeared before the United States Supreme Court to argue appeals in behalf of Negro peons condemned to death in connection with the Arkansas riots of 1919.

In the course of the brief appealing against sentence of death imposed upon five of the Negroes, sensational charges are made involving the Courts of the State of Arkansas; newspapers; leading citizens; Rotary Club; Robert L. Kitchens Post, American Legion; and other organizations of Helena, Arkansas; all of whom are charged with having tried to railroad the Negroes to death, torture being employed to make the prisoners testify falsely, mob hysteria dominating their trial which is alleged to have taken place in less than an hour.

The cases arose out of an attempt by Negro farmers to organize and obtain legal redress against peonage or debt slavery under the share cropping system prevalent in Arkansas. The Negroes were accused of a "plot to massacre whites" and, according to the brief, "a large number of white men armed themselves and rushed to the scene of the trouble and to adjacent regions and began the indiscriminate hunting, shooting and killing of Negroes."

"We have distinct evidence," says the brief, "that all Negroes at that time were in danger of their lives, and that two hundred or three hundred men were killed—Theere can be no question that the citizens of Helena were determined that these men should be convicted, and that they manufactured the evidence or the purposes; and for the court (Arkansas Supreme Court) to say that they cannot assume that they necessarily did not have a fair trial shows clearly that the Supreme Court of Arkansas was itself influenced by the same feeling that influenced the leaders of society throughout the region where these tragedies occurred."

The brief further recites that the conduct of the case against the convicted Negroes constitutes a series of outrages "than which it is hard to imagine worse."

Testimony is cited of H. F. Smiddy and T. K. Jones, the former deputy sheriff of Phillips County, Arkansas, the latest special agent for the Missouri Pacific Railroad, both white, who were members of the sheriff's posse and swore that the white men, for whose murder the Negroes were convicted, was killed by members of the posse, and that Negroes had nothing to do with the murder. They further swore that they personally whipped the prisoners with straps studded with metal, put strangling drugs in their nostrils and forced the Negroes to sit in an electric hair to force testimony in the manner desired by the mob.

The summary of the conditions under which the Arkansas trials were conducted is as follows in the brief:

"We have the whole community inflamed against the defendants, prepared themselves to lynch them, only refraining from so doing because they are assured by leading citizens that the trial should accomplish the same purposes, a condition of things where no man who was on that jury and had ventured to vote for acquittal or delay could have lived in Phillips County, according to the testimony of one of the men who engaged in the business of manufacturing evidence for the State. We have false statements printed in the newspapers; we have society substantially organized to convict these people; more than that, we have witnesses deliberately terrorized and forced in pain of death or torture to give false testimony. We have the testimony of the witnesses themselves that they were so terrorized and that their testimony was false. We have the testimony of the men who inflicted the torture; we have a mass of evidence which shows, if evidence can show anything, that the defendants never had a fair trial and in fact that they are innocent. As to some of them there is no evidence as to any act or word except that they were with a gang of Negroes assembled to all purposes for self defense."

Elaine.

Among the organizations named as fomenting the state of feeling in which the Negroes were convicted are: Richard L. Kitchens Post American Legion, the Helena Rotary Club, Lions Club of Helena, and the Committee of Seven appointed at the time of the riots by the Gov-

(Continued on Page 8.)

ELAINE RIOT LITIGATION BEFORE HIGHEST COURT

U. S. Supreme Court Jurisdiction Attacked by State.

"APPEAL METHOD WRONG"

Arkansas Argues Errors in Law Points Cannot Be Reviewed by Habeas Corpus—Too Late to Seek Writ of Error.

1/10/23 Commercial Appeal

WASHINGTON, Jan. 9.—Litigation growing out of the Elaine, Ark., riots of 1919 reached the Supreme Court today in two cases brought by the National Association for the Advancement of Colored People in behalf of Frank Moore and 11 other negroes now under sentence of death on the charge of having murdered Clinton Lee.

Morefield Story, president of the association, appeared as counsel for the negroes while the state was represented by Attorney Gen. Utley.

It was contended in behalf of the negroes that they had assembled in their church at Hoop Spur to devise means as tenant farmers to relieve themselves of conditions which they asserted amounted to peonage. While so assembled, the negroes claimed that armed white men surrounded the church and fired upon them, killing a number.

On behalf of the state it was asserted that the negroes had assembled in connection with a plot to massacre white men, and that the firing was done by a posse sent to quell a riot.

Jurisdiction of the Supreme Court to consider the appeals was contested by the state on the ground that "mere errors in point of law, however serious, committed by a criminal court in the exercise of its jurisdiction over a case properly subject to its cognizance cannot be reviewed by habeas corpus."

Justices Ask About Jurisdiction.

Numerous questions were asked by the justices during presentation of the cases, their inquiries centering chiefly on the issue of jurisdiction. Only two expressions came from the bench, however, indicating the views of the justices. Justice McReynolds stated in substance that the arguments presented in behalf of the condemned negroes disclosed, in his opinion, a regretable condition of affairs, but it seemed that proper action had not been taken by their counsel to obtain a review of the cases. Justice Holmes said the situation appeared to him to be one which required the Supreme Court, in the interest of justice, to inquire whether it was not warranted in taking jurisdiction without stopping at technicalities.

Alleged "inhumane" treatment of the prisoners in efforts to obtain confessions from them were dwelt on by Story. Assistant Attorney-General Godwin, for the state confined his arguments largely to the legal phases of the cases, insisting that counsel for the negroes had not pursued the proper course to obtain a review. The cases, he argued, must be thrown out by the Supreme Court, because not properly brought before it. Instead of seeking an appeal by habeas corpus proceedings, he asserted, the cases should have been brought up on writs of error, a tactical mistake which he stated could not now be corrected.

PHILLIPS MUST PAY FOR ELAINE NEGROES

Supreme Court Holds County Responsible for Board.

HELD IN PENITENTIARY

Men Condmned Three Years Ago fro Riot Are Awaiting Action of U. S. Highest Tribunal on Appeal From Arkansas Conviction.

LITTLE ROCK, Ark., Jan. 29.—In an opinion handed down by the supreme court today Phillips County is held responsible for board bills of the condemned Elaine rioters sentenced over three years ago for murder and rioting in connection with the killing of several prominent Phillips County residents.

The amount involved is $2,502 due the state penitentiary for the board and lodging of the 12 race rioters in the death chamber at the penitentiary walls from the date of their incarceration to May 31, 1921. The total amount of the bill against Phillips County for the condemned negroes on Jan. 1, 1923, was $5,058, according to the record kept by C. E. Toole, clerk of the penitentiary commission.

It is conceded by legal authorities that the decision of the supreme court will in effect result in the report of the penitentiary to demand the entire board bill from Phillips County and payment of same by the county.

On May 31, 1921, Phillips County authorities removed six of the Elaine rioters from the penitentiary walls and lodged them in the Lee County jail at Marianna for safe keeping. Since that date they have been held at the Lee County jail and the other six negroes have been retained at the walls prison, awaiting execution.

The principal contention made by Phillips County was that the statute providing that counties must pay $1 a day for prisoners under death sentence to the penitentiary board is void, because it is an expense of the maintenance of the state penitentiary, which the Legislature has no right to impose on the counties.

In summing up its opinion the supreme court held: "The conclusion is justified that the requirement for the county to pay the amount estimated to be the cost of keeping prisoners held for execution is not in effect, a requirement that the county shall contribute to the maintenance of the penitentiary as a state institution."

NEGROES BEG LIVES OF SUPREME COURT

Five Condemned in Arkansas Riots of 1919 Allege They Are Being "Railroaded" to Death.

ARRAIGN ARKANSAS COURTS

Moorefield Storey Supports Their Plea, Alleging Torture and Mob Hatred Against Accused.

New York Times

WASHINGTON, Jan. 9.—Litigation growing out of the Arkansas riots of 1919 reached the Supreme Court today in two cases brought by the National Association for the Advancement of Colored People in behalf of Frank Moore and eleven other negroes now under sentence of death on the charge of having murdered Clinton Lee. 1/10/23

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It was contended in behalf of the negroes that they had assembled in their church at Hoop Spur to devise means as tenant farmers to relieve themselves of conditions which they asserted amounted to peonage. While so assembled the negroes claimed that armed white men surrounded the church and fired upon them, killing a number.

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to inquire whether it was not warranted in taking jurisdiction without stopping at technicalities.

Alleged "inhumane" treatment of the prisoners in efforts to obtain confessions from them were dwelt upon by Mr. Storey. Assistant Attorney General Godwin, for the State, confined his argument largely to the legal phases of the case, insisting that counsel for the negroes had not pursued the proper course to obtain a review. The cases, he argued, must be thrown out by the Supreme Court, because not properly brought before it. Instead of seeking an appeal by habeas corpus proceedings, he asserted, the cases should have been brought up on writs of error, a tactical mistake which, he stated, could not now be corrected.

The National Association for the Advancement of Colored People gave out here last night a review of the brief presented before the Supreme Court by Moorfield Storey, in which he made charges in connection with the Arkansas riot of 1919, involving the courts of the State of Arkansas, newspapers, leading citizens, Rotary Club, Robert L. Kitchens Post of the American Legion and other organizations of Helena, Ark., all of whom he accused of having tried to railroad five negroes to death and using torture to make the prisoners testify falsely. Mob hysteria, he said, dominated their trial, which is alleged to have been concluded in less than an hour.

The cases arose out of an alleged attempt by negro farmers to organize and obtain legal redress against peonage or debt slavery under the share cropping system prevalent in Arkansas.

The brief criticizes the Supreme Court of Arkansas, remarking that for this court "to say that they cannot assume that they (the negroes) necessarily did not have a fair trial shows clearly that the Supreme Court of Arkansas was itself influenced by the same feeling that influenced the leaders of society throughout the region where these tragedies occurred."

Testimony is cited of two white men, members of the Sheriff's posse, who swore that the white man for whose murder the negroes were convicted was killed by members of the posse, and that negroes had nothing to do with the murder. The brief says they further swore that they personally whipped the prisoners with straps studded with metal, put strangling drugs in their nostrils and forced the negroes to sit in an electric chair to force testimony in the manner desired by the mob.

ELAINE NEGRO RIOTERS WERE NOT RAILROADED

Atty. Gen. Utley Says Verdict of Jury Will Stand.

1-10-23
Commercial Appeal

LITTLE ROCK, Ark., Jan. 10.—Attorney General Utley today issued a statement relative to the charge made in Washington yesterday that the Elaine negro rioters, under sentence of death, were being railroaded through the Arkansas courts. The attorney general says:

"This department is not worried at the efforts of the supporters of the Elaine rioters to carry on a campaign of propaganda at Washington while the cases are pending before the United States supreme court. We have no sort of fear that the court will be influenced by this.

"It is well recognized that questions of fact are for the jury and not for the court to decide, and these matters have already been settled in the circuit court of Phillips County. Every appellate court to which the cases have been carried, so far, has sustained the action of the trial court.

"The institution which styles itself the National Association for the Advancement of the Colored Race, can, if properly handled, be of much service to the negroes of America. On the other hand, if it falls under the domination of radicals, it can be turned into a powerful agency of propaganda which will, instead of continuing the present peaceful relations which exist between the races in the south, encourage the radical element of the negro race to stir up trouble.

"The truth of the business is that the negro's real friend is the southern white man, and that most of this agitation is carried on by self-styled philanthropists and overzealous sociologists in other sections of the country.

"It would be a sad state of affairs in this country if propaganda should be substituted for law in the trial of criminal cases."

When the Associated Press dispatches announced that the State of Arkansas would renew its request for the extradition of Robert Hill, which was refused by Governor Allen, Editor Nick Chiles of the Topeka *Plaindealer* wrote a letter to the Attorney General of that State, in which he said: 1-6-23
New York Age

Now, bless your deluded soul, General, Governor-elect Davis would no more think of turning Hill over to you Arkansas outlaws than he would the Methodist Church over to the Devil. While Governor-elect Davis is a Democrat, he is not of your class or type. He was born in Kansas under the influence of John Brown of Harper's Ferry, a high class Christian gentleman who would not stop to do mean things or mistreat anyone. Although a Democrat he represents advanced ideas, Northern and Western ideas. The colored man is not in his way. If he can advance and get ahead of him he will step aside and let him by. Northern Democrats love to see a black man progress. Governor Davis will be governor for all the people. The black man will have the same show as any other nationality when it comes to administering the laws of Kansas; that is more than you can say about Arkansas.

We trust that Editor Chiles' eulogy of the new State administration in Kansas will be justified by its action, not only in this Hill case but in all matters affecting the race.

ARKANSAS RIOTERS GRANTED NEW TRIAL

Afro-American
Baltimore Md.

Supreme Court Sets Aside Verdict of Lower Court In Celebrated Case

2-23-23

Washington, D. C., Feb. 22.—Convictions of five colored men, sentenced to death as result of the race riot at Helena, Ark., in September, 1919, were set aside by the United States Supreme Court this week.

A TRIAL WAS ORDERED

The court, in an opinion handed down by Justice Holmes held that they had not been accorded a fair and impartial trial as guaranteed under the Constitution.

Justice McReynolds, in a dissenting opinion in which Justice Sutherland concurred, declared the majority opinion created a dangerous precedent tending to prevent prompt punishment of crime.

"If every man convicted of crime in a State court may thereafter resort to the Federal court and by swearing, as advised, that certain allegations of fact tending to impeach his trial are 'true to the best of his knowledge and belief' and thereby obtain a right of further review, another way has been added to a list already unfortunately long to prevent prompt punishment.

"The delays incident to the enforcement of our criminal laws have become a national scandal and give serious alarm to those who observe. Wrongly to decide the present cause probably will produce very unfortunate consequences."

In behalf of the men it was contended they had not excited nor participated in a riot, and it was insisted they had been fired upon while assembled in a church at Hoop Spur to devise means to relieve themselves of peonage, it being alleged that as tenant farmers or "share-croppers" they were being held in servitude.

The verdict of the court is a victory of the N. A. A. C. P., which has spent several thousand dollars in appealing the case from the lower courts.

SENTENCE OF ELAINE RIOTERS IS SUSPENDED

Commercial Appeal
2-20-23

District Court Ordered to Find If Fair Trials Had.

PREJUDICE IS ALLEGED

Associate Justice Holmes in Majority Opinion Says It Is Shown That Accused Blacks Were Intimidated Into Confessing.

BY R. M. GATES.

WASHINGTON, Feb. 19.—Through a majority opinion by the United States Supreme Court today, the Arkansas State Supreme Court was reversed in a decision it made declining to grant writs of habeas corpus to the five negroes sentenced to death as the result of the race riots at Elaine in September, 1919. Because of the supreme court's action the cases will be reopened and it is probable that new trials will ensue.

Justice Holmes Says.

In handing down the majority opinion, Associate Justice Holmes took the position that the allegations that the trials were prejudiced by race antagonisms and the heat of passion and that the men had been rushed to sentence without due process of law, must be considered, and that it was the duty of a federal judge to examine these charges and determine the facts. In a sharply dissenting opinion, written by Associate Justice McReynolds, and in which Associate Justice Sutherland concurred, Mr. McReynolds took the stand that the affidavits supporting the allegations were furnished by the prisoners and by discredited men.

"The matter is one of gravity," he said in his opinion. "If every man convicted of crime in a state court may thereafter resort to the federal court and by swearing, as advised, that certain allegations of fact tending to impeach his trial are due to the best of his knowledge and belief, and thereby obtain as of right further review, another way has been added to a list already unfortunately long to prevent prompt punishment. The delays incident to the enforcement of our criminal laws have become a national scandal and give serious alarm to those who observe. Wrongly to decide the present cause will produce very unfortunate consequences."

Writes Majority Opinion.

After reviewing the case, Mr. Justice Holmes wrote the majority opinion:

"In the case of Frank vs. Mangum it was recognized, of course, that if in fact the trial was dominated by a mob so that there was actual interference with the course of justice there is a departure from due process of law, and that if the state supplying no corrective process carries into exectuion a judgment of death or imprisonment based upon a verdict thus produced by mob domination, the state deprives the accused of his life or liberty without due process of law.

"We assume in accordance with that case that the corrective process supplied by the state may be so adequate that interference by habeas corpus ought not to be allowed. It certainly is true that mere mistakes of law in the course of a trial are not to be corrected in that way. But if the case is that the whole proceeding is a mask—that counsel, jury and judge were swept to the fatal end by an irresistible wave of public passion, and that the state courts failed to correct the wrong, neither perfection in the machinery for rection nor the possibility that the trial court and counsel saw no other way of avoiding an immediaet outbreak of the mob can prevent this court from securing to the petitioners their constitutional rights.

"In this case a motion for a new trial on the ground alleged in this petition was overruled and upon exceptions and appeal to the supreme court the judgment was affirmed. The supreme court said the complaint of discrimination against petitioners by the exclusion of colored men from the jury came too late and by way of answer to the objection that no fair trial could be had in the circumstances stated that it could not say that this must not necessarily have been the case; that eminent counsel was appointed to defend the petitioners; that the trial was had according to law, the jury correctly charged and the testimony legally sufficient.

Injunction Is Issued.

"On June 8, 1921, two days before the date fixed for their execution, a petition for habeas corpus was presented to the chancellor and he issued a writ and an injunction against the execution of the prisoners, but the supreme court of the state held that the chancellor had no jurisdiction under the state law whatever might be the law of the United States."

Near the close of the opinion, Justice Holmes said: "It does not seem to us sufficient to allow a judge of the United States court to escape the duty of examining the facts for himself, when if true, as alleged, they make the trial absolutely void."

Justice McReynolds asserted that the petition for the writ was supported by affidavits of "these five ignorant men whose lives were at stake, the ex-parte affidavits of three other negroes who had pleaded guilty and were then confined in the penitentiary under sentence for the same murder, and the affidavits of two white men—low villains according to their own admissions. It should be remembered that to narrate the allegations of the petition is but to repeat statements from these sources. Considering all the circumstances, the course of the case in the state courts and upon application here for certiorari, etc., the district court held the alleged facts insufficient prime facie to show nullity of the original judgment.

"Under the disclosed circumstances I can not agree that the solemn adjucations by courts of a great state, which this court has refused to review, can be successfully impeached by the mere ex-parte affidavits made upon information and belief of ignorant convicts joined by two white men—confessedly atrocious criminals. The fact the petitioners are poor and ignorant and black naturally aroused sympathy, but that does not release us from enforcing principles which are essential to the orderly operation of our federal systems.

"In Frank vs. Mangum, after great consideration a majority of this court approved the doctrine which should be applied here. The doctrine is right and wholesome. I can not agree now to put it aside and substitute the views of the minority of the court in that cause."

Riots—1923. Elaine.

PROF. KERLIN BELIEVES HE IS VINDICATED

Washington D. C., July.—Prof. Robert T. Kerlin, who wrote a letter of protest to the Governor of Arkansas, concerning the unfairness of the trial of the Elaine men just released, has been vindicated, in his opinion.

Because of his letter, Prof. Kerlin was summarily dismissed as Professor of English at the Virginia Military Institute, Lexington, Va.

Kerlin Vindicated By Rioters' Release

WASHINGTON, D. C., July 12.—Prof. Robert T. Kerlin, who wrote a letter of protest to the Governor of Arkansas, concerning the unfairness of the trial of Elaine men just released, has been vindicated, in his opinion. Because of his letter, Prof. Kerlin was summarily dismissed as professor of English at the Virginia Military Institute, Lexington, Va.

ELAINE NEGROES' TRIAL SET FOR NEXT TUESDAY

Will Seek Dismissal, Claiming No Trial Granted.

MARIANNA, Ark., April 13.—Trial of six Elaine negroes whose cases were transferred to the Lee County circuit court on a change of venue from Phillips County and who were brought to Marianna last Thursday, is set for next Tuesday afternoon. At that time a motion to dismiss the charges of first degree murder against them will be made.

The motion asks for the dismissal because it is contended, the defendants have been denied a trial. The petition is predicated upon a section of a statute that says a person charged with a crime in an indictment must be given a trial within the period of two court terms. It is the contention of the defense that these cases have been continued through two terms of court here on motion of the state, that the defense has been ready all the time for a trial, and that now the cases should be dismissed for want of prosecution.

The grand jury returned 39 indictments, 38 for felonies, one misdemeanor and dismissed six cases.

A charge of first degree murder was found against I. T. Hilton, who recently killed C. A. Bonner. It is understood that Mr. Hilton's case will be set for trial one day next week.

A Far-Reaching Court Step.

The decision of the supreme court of the United States in the Elaine cases may be a far move along certain lines of centralization for which the people themselves are to blame.

The Commercial Appeal has no present quarrel with the court's findings. Mr. Cates' story was illuminating but wire limitations made the sending of the entire opinion impossible. Maybe the side light of the full finding will change the perspective.

Often we come into contact with efforts to get capital criminal cases into the supreme court of the United States. The theory of getting these cases before the court is that a constitutional right guaranteed by the national document has been kept away from the individual.

An effort was made to get the Frank case reviewed by the supreme court. Thirty years ago the H. Clay King case went into the supreme court of the United States, but the court refused to consider it.

We do not know of a capital case going from a state court into the highest federal court being reviewed and reversed. As we understand it a majority opinion in the Elaine cases is in the nature of a direction to Judge Trieber, of the United States district court of Eastern Arkansas, to review this case and to see if the Elaine rioters got a trial with that degree of fairness guaranteed by the constitution of the United States. Judge Trieber will probably go over the record, report to the higher court the result of his findings, or his own decision may be a judicial finality.

Such a decision is a response in a way to what has become an almost universal attitude on the part of the American citizens. They carry their troubles and their burdens to the United States government. The old doctrine of state's rights has been thrown to the wind by southerners as well as northern people. We are asking the United States government to help us build our intrastate roads. The United States government is doing this. We are asking the United States government to spend money upon the education of our children. The states themselves are joining in these efforts.

We are asking the United States government to provide nurses and instructors for expectant mothers. It has come to pass that Uncle Sam is being called upon to act as accoucher in all birth cases. We will not be happy until we finally get Uncle Sam to be chief mourner and paymaster at our funerals.

The states have practically turned over the enforcement of the liquor law to the federal government with the result that distinguished judges are spending most of their time trying cases that ought to be handled by courts of first instance.

So if such decisions as that of Monday which may change a decision of a state court are part of the judicial grist in Washington, they are simply responsive to this general desire to turn over everything to the national government.

If this business keeps on the logical thing to do would be to make the present states mere departments and let the federal government run everything from policing up.

As to the Elaine matter, there is no use getting excited. We feel confident that in time substantial justice will be done by proper legal instrumentalities and under the forms of the law. The law may move slowly but it moves. After all the law is our refuge and our fortress.

ELAINE NEGROES WORKING

Three of Six Get Jobs in Little Rock. Others Seeking Places.

LITTLE ROCK, Ark., June 28.—Three of the six Elaine negroes have found temporary employment pending announcement of definite action on the part of the state on a rehearing before the Arkansas supreme court of the original sentences. The charges against the negroes. The supreme court granted a motion by defense attorneys to dismiss the cases against the negroes on the ground they had been passed during two terms of inferior courts.

According to attorneys for the negroes, the remaining three negroes are seeking employment. All of the negroes are farmers and are not qualified for many kinds of work, it was said.

A rumor to the effect that the negroes would speak in churches Sunday was denied today by their attorneys, who said no demonstration of any sort was planned.

SUPREME COURT REVERSED ITSELF IN ARKANSAS CASE, SAYS NEW YORK LAWYER.

Negro Lawyer in Forefront of Victorious Four Year Battle.

New York, N. Y., April 14.—New York lawyers have been commenting on the far-reaching results of the victory by the National Association for the Advancement of Colored People in the Arkansas Cases, in which the United States Supreme Court reversed the decision of the lower court which had condemned five Colored farmers to death.

Walter Nelles, a prominent New York lawyer, writing in the Law and Freedom Bulletin issued by the American Civil Liberties Union, states that the Supreme Court not only reversed a lower court in the Arkansas Case, but hails the Arkansas decision as the one of the most far reaching in regard to the principle of habeas corpus that the Supreme Court has ever made.

Contrary to the decision in the Leo Frank case, the Supreme Court has held in the Arkansas Cases that despite legal forms, if a mob has dominated a court room, a fair trial has not been held. As Mr. Louis Marshall, counsed for Leo Frank stated to the N. A. A. C. P.;

"The stone that the builders rejected has now become the chief of the corner.—Due process of law now means, not merely a right to be heard before a court, but that it must be before a court that is not paralyzed by mob domination."

The case is held especially important for Negro citizens in that it makes possible contest of any case in which it can be shown that a mob influenced decision.

The N. A. A. C. P. paid tribute to Scipio A. Jones, the Colored lawyer of Little Rock, who has charge and was in the forefront of the four-year legal battle culminating in the victory before the Supreme court. This case is regarded by the N. A. A. C. P. as the most important legal battle fought, as it was the most costly, nearly $15,000 being expended to obtain the action before the Supreme Court.

It is now thought probable that the condemned men will never suffer the death sentence which has three times been averted.

Prof. Kerlin, who left the Virginia Military Institute as a result of his advocacy of the Constitutional rights of the six Colored men sentenced to death by the Arkansas courts following the Elaine massacre of Colored people in 1920, has lost his case for damages against the school authorities, the court deciding that the officials of the school, being appointed by the governor and confirmed by the senate, were part of the executive machinery of the state and could not be sued. Experienced Colored attorneys handled Prof. Kerlin's suit.

GOD IN OUR AFFAIRS

The setting at liberty of the six Elaine men, the several reversals of the lower Court by the higher Court, the decisions of the United States Supreme Court, the final decision of the State Supreme Court are such momentus events until we dare not give the credit to any human ingenuity. We dare not arrogate entirely to human effort such wonderful and far reaching decisions and happenings. When an unbiased mind looks at them in an unbiased way, studies them in the light of human prejudice, considers them in the light of the weakness o our racial group, there must be seen a hand more powerful than any human hand, there must be seen not human influence, but a superhuman power eminating and moving and directing from somewhere; this unseen hand, this unknown power, the Guide man attributes to God himself. One does not have to strain his vision to see the hand of omnipotence, one does not have to become very sober to observe a controlling power beyond that of the Negro himself. This power is Divine. The mad grip of prejudice, held Sway four long years, human effort exhausted itself in its endeavor to electrocute the men involved in the Elaine trouble, but in spite of human effort, in spite of mad prejudice, in spite of racial differences, each time there was sstanding at the Big Gate a powerful unseen being that reversed the human decisiion and threw them back for new considerations, this reversal continued until liberty came through a dismissal. It is to be hoped that the racial group recognizes God in the whole affair; it is to be hoped that God will have the glory, while lawyers were used as human instruments in working out the Divine plans, yet God himself laid the plans and saw that it was worked out. This is as certainly true as it was true that God was in the great movement that liberated four million slaves. In fact God is behind every great movement, for we are taught in the scriptures that every good and perfect gift comes from him. Let the Negroes therefore give God the glory, the Church bells should peal out his praises.

AMERICAN LEGION MADE ANGRY OVER RELEASE NEGROES

LITTLE ROCK IS QUIET, BUT THERE IS SMOLDERING FEELING AMONG BOTH RACES.—NEGROES ARE LEAVING FOR OTHER SECTIONS.

By Participator

(For The Associated Negro Press)

Helena, Ark., July 4.—It is very hot here. This statement includes the temper of the people, white and black. Both elements are quite apprehensive. The whites timorously so while the blacks are sullenly resigned to whatever happens. No steps have been made to forcibly reincarcerate the six Negroes recently freed by the refusal of the penitentiary authorities to accept them because no orders had been received by the Warden to receive the Negroes. This is where the matter has been standing for the past week and, if local opinion amounts to anything, it is likely to remain for sometime to come.

Case Actually Dismissed.

As a matter of fact, I verily believe from observation, there is no real inclination among the whites to continue the prosecution of a case that had its beginnings in the heat of an unreasonable passion and now presents an aspect of stupid blundering the most unhappy in the official history of the State. Last Monday the Supreme Court handed down an opinion which directed the dismissal of the case. This action of the State's highest judicial tribunal was in answer to a petition which had been presented by the defendants' counsel a short time previous praying for the release of the prisoners on the grounds that the time set for their third trial had passed without the men being brought to a hearing of the case in court. The court in its opinion agreed with the defending counsel and ordered the dismissal of the men. This, in truth, is believed by those with whom I have talked about the matter, to have been the real basis of Warden Hamp Martin's refusal to receive the prisoners from the hands of Sheriff A. L. Calloway when that official presented them for reincarceration in the State Penitentiary.

Exodus Playing Its Part.

The Exodus is playing a most important part in determining the present attitude of all the parties affected by this most unfortunae affair. I say unfortunate because there is nothing I can find that ustifies the action of anybody connected with its distressing series of events excepting, possibly, the Negroes. Whatever they have done or are doing was occasioned by the experience of a long string of persecutions as cruel as they were impolite in their prosecution. This is now admitted by the whites themselves. The worm turned. Not, however, before it had been trampled upon quite to the point of death itself. The real wonder is that they stood for the unreasonably harsh treatment at the hands of the whites as long as they did. The "riot" was the curtain raiser to the Exodus. Love for the land on which most of the Negroes were born and where all of them had labored for a long number of years was the tie that held them here despite the hard ineptitudes of the situations they were constantly facing. The fruits of the "riot" convinced them that they were bound to pick-up and leave if they would live and labor in the vineyard of the Lord.

American Legion Resentful.

The release of the Negroes has angered the Arkansas branch of the American Legion. Its members are making no secret of their disappointment over the action of the Supreme Court and the refusal of Warden Calloway to receive the accused Negroes when they were presented for reincarceration in the penitentiary. "We want these 'niggers' punished," is their cry. A colored man, whose name I dare not mention, declared to me, "These American Legion fellows are harking back to their experiences with Negro soldiers across the waters during the war. They found out that France was not Arkansas. The black fellows discovered the same thing and at about the same time. Putting us back into our place, as they call it, is at the bottom of this whole unfortunate affair. And yet we have got to go through with it. Those white people don't realize it, but they would be better off if they would get rid of this foolish notion about their superiority. They are choking the South to death, by their foolishness. We don't want to marry their daughters; we want freedom to work and provide for the future of our families. If they won't give us this chance, we'll go where we can get it, and that is all there is to it."

Little Rock Quiet.

As far as I can learn, Little Rock, where the released are patiently awaiting the action of the authorities, all is quiet. The colored attorneys in the case appear to have acted with fine judgment and with a clear appreciation of their legal rights in the prosecution of their side of the controversy. Even here in Helena there is no feeling of open resentment regarding the course which these men have pursued in the defense of their clients. They have advised the whites of prominence that the continuance of the proscution along the lines that have characterized the course of the authorities up to the time of the Supreme Court's order for dismissal of their clients has done the State of Arkansas no good whatever. In the meantime the accused Negroes are living with friends within a short distance of the penitentiary awaiting the final action of the legal authorities in their case on the advice o ftheir counsel.

Believe End is in Sight.

There is a general belief that the end of the fight is in sight. There is a general disposition to let the matter drop for the general good of the state.

SIX ELAINE NEGROES STILL IN LITTLE ROCK

Atorneys Say If State Asks Rehearing Will Surrender.

LITTLE ROCK, Ark., June 26.—After nearly four years' imprisonment, the six Elaine negroes under sentence of death a greater part of that time, were walking the streets with Sheriff Calloway at noon today.

Their release, ordered by the supreme court of Arkansas followed a four year legal battle which took the cases thrcugh local courts in two counties to the state supreme court.

The negroes received their freedom with dramatic suddenness early this morning. They were brought to the walls of the penitentiary from Lee County by Sheriff A. F. Calloway. Warden Martin had no orders to receive them and Sheriff Calloway, having executed the order of Circuit Judge E. D. Robertson, walked away from the walls leaving the negroes there at the penitentiary walls. When the sheriff left, the negroes, who had been accompaniesd to the walls by two negro lawyers and a number of friends and relatives, were taken in automobiles to the home of friends in Little Rock.

State Attorney General J. S. Utley said today he had not decided upon a course of action or whether a motion for rehearing of the case would be asked. The state has 15 days in which to file a motion for rehearing before the supreme court. Unless the state files a motion for rehearing within 15 days the supreme court will then issue an order for the final release of the negroes and their freedom will be complt.

Two ngro lawyers, with whom the negroes conferred this noon, informed officials at Gov. McRae's office that they would guarantee appearance of their clients in the event the state moves for a rehearing of the case.

Until the state arrives at a decision, it was said, the negroes will remain free if no action is taken within 15 day. the supreme court order of release will remove all remaining legal technicalities and the negroes will have their absolute freedom.

ELAINE RIOTERS ASK COURT FOR RELEASE

Have Been Confined Through Two Terms Since Reversal.

LITTLE ROCK, Ark., May 11.—Attorneys for the six Elaine negroes now held for murder in Lee County, late today filed a motion for their discharge in the state supreme court. The motion is an appeal from the Lee Circuit Court, where a similar motion recently was overruled.

The motion for dismissal is based on the claim that since the indictment of the negroes two terms of court have passed without the cases being brought to trial, a statute being cited which declares that under such circumstance the defendant shall be discharged "unless the delay shall happen on the appeal of the prisoner."

According to the information the six, Albert Giles, Joe Fox, Ed. Ware, John Martin, Alf Banks, Jr., and Will Wordlow were indicted for murder in Phillips County in October, 1919, and tried and convicted. The death sentence was passed but reversed on technicalities by the supreme court and a new trial ordered. The second trial in May, 1920, was followed by a death sentence, which again was reversed and remanded. Since the negroes have been transferred back and forth between Phillips and Lee Counties. The motion alleges that two terms of court now have passed without their coming to trial.

"RIOT FARMERS" OF ELAINE ARE GIVEN FREEDOM

The Arkansas Supreme Court Tuesday reversed the circuit court and ordered the six Elaine "riot" defendants discharged. These are six cases in which the state supreme court twice reversed Phillips County convictions. The defendants have been awaiting retrial for more than two years.

When it appeared that delay in the retrial was deliberate, the National Assn. for the Advancement of Colored People applied for a writ of dismissal under the Arkansas Statute of Limitations. The Circuit Court denied the writ, whereupon an appeal was taken to the Supreme Court, and a favorable decision was handed down Tuesday.

The Supreme Court decision marks the end of one of the most bitterly fought cases in the country which was dragged through nearly four years of constant fighting at a cost of more than $14,000.

"Plot to Massacre"

The Arkansas cases rose out of an attempt by farmers to organize and obtain legal redress against peonage or debt slavery under the share cropping system prevalent in Arkansas. The farmers were accused of "a plot to massacre whites" and a large number of white men armed themselves and rushed to the scene of the trouble and began the indiscriminate hunting, shooting and killing of colored men.

More than 200 colored persons were massacred during the "uprising," and when the smoke cleared away a large number of colored men were thrown into jail to be tried as "the Elaine rioters." Finally six of them were condemned to die, but after four years of bitter fighting both in the state and federal courts, they were freed Tuesday.

TRANSFER OF NEGROES PRECAUTIONARY MEASURE.

(By Associated Press.)

Marianna, Ark., June 26—Transference of the six Elaine colored from the Lee County jail here to Little Rock by his orders, Judge E. D. Robertson of the Lee Circuit Court, said today, was merely a precautionary measure.

"I do not think there was any danger of trouble from residents of Phillips County," Judge Robertson said, " and there has been display of feeling here against the Negroes who were released at Little Rock early today. But as a precaution, I ordered Sheriff Calloway to take them and turn them over to the penitentiary authorities."

ELAINE REPLY FILED.

Attorney General Denies Negroes Entitled to Dismissal.

LITTLE ROCK, Ark., June 10.—Attorney General J. S. Utley tonight disclosed that he had filed in the state supreme court yesterday, as counsel for the state, the state's brief in reply to the petition of six Elaine negroes whose murder trials as a result of the riots of several years ago are pending in Lee County, the negroes asking dismissal on the grounds that two terms of court have passed without their being brought to trial.

Mr. Utley alleged that a day had been set for the trial in the last term of Lee circuit court but that the term of the Phillips circuit, in the same July circuit court had extended beyond this day, this conflict being not due to fault or error on the part of the state, and he contended that therefore the statute under which dismissal is sought does not apply.

Riots — 1923

TEACHERS CONDUCT STORY STIRS UP HORNETS' NEST

The Freeman
Indianapolis Ind.
2-24-23

DRAWS BITTER PROTEST.

Lionel Artis Says "Article Emanates from the Pen of A Sneak."

Y. M. C. A. Official Refers to Attack On Seme of Indianapolis' Instructors of the Young as "Cowardly, Underhand and Covert.

Editor of The Freeman:

Your paper, under date of Feb. 18th, 1923, carried a bold faced streamer across the top announcing, "Degrading Conduct of Some Indianapois Teachers Draws Writer's Ire." From this announcement, one woud very naturally expect to face some shocking revelations of misconduct among our own local teachers. At any rate, one expected the references to be specific and concrete, and not attempt to "encompass land and sea." Instead, he is treated to references to immoral conditions among students in St. Louis, Cleveland, Chicago and the general relationship between teacher and pupil, but little or next to no specific mention is made of derelictions among Indianapolis teachers.

Your article calls for consideration by thoughtful people—not so much for the concrete information that it conveys about the teachers. No, that would be justifiable and quite laudable did it reveal anything tangible and remediable. But this article, to my mind, puts not the teachers, but your paper, on trial.

For years, I have read The Freeman and have admired its sane, constructive, editorial policy, this in spite of many differences of opinion at times. But if the policy adopted last week is to continue, I am afraid that the Negro citizens of Indianapolis (indeed, elsewhere, too), are faced with a menace rather than an organ which will aid them. I suppose you will receive many communications from the teachers themselves, many indignant and even abusive. Their interests are directly affected. On the other hand, this is no matter for vituperation and passionate discussion, but one in which all sides are called upon to exercise sober "second thought." My interest is deeper—that of a taxpayer and one who is interested in the social betterment of this community and who has given himself to that task. The fundamental question is **whether your method will reap the largest beneficial social results.**

In the first place, a question of fundamental inherent honesty is involved. The article was igned by "A Subscriber," with no name or address for reply. In conversation with you the other day, you simply stated that "A subscriber sent the article in and as news, we published it." What a dangerous and child-like attitude to assume in the handling of a public newspaper! Does this mean that any article, of whatever nature, involving howsoever important elements of our social structure, would be published and that our social institutions are open to such unbridled, uncensored, irresponsible, insidious attacks?

A newspaper, if it is to be more than a "yellow ournal" or a "flaming sheet," and if it is designed to be a constructive force, must have some guiding policy which lifts it above muck-raking. The facts of an article given such prominence as you gave this one, should be thoroughly investigated and authenticated before the paper gives circulation to such a pseudo-expose. The publishers of a public journal must realize that they have a social responsibility as well as license in the publication of anonymous communications.

My second thought is that the attack is cowardly, underhand, covert, and emanates from the pen of a sneak. Fair play and the American sense of justice make it the manly duty to fight openly and "above board" any wrong. The individual who makes an attack against another individual or group ought to be manly enough to voice it openly and not hide behind the mask of anonymity. It smacks too much of the knife thrust behind the back. And in the absence of a signed name, The Freeman must realize that it assumes the moral responsibility (legal, too) for the facts therein. In that case ,your reply that "A subscriber ent the article in," does not suffice.

I shall leave these considerations to deal with the facts in the article. Evidently the writer has given little definite, concentrated, intelligent study to the question he discusses, or else deliberately distorts the facts to suit his purpose. A running knowledge of the interpretations of modern social science would refute the whole argument presented.

Elaine.

Can nine of every ten cases of juvenile delinquency be attributed to the grade school teacher? The writer's thesis is symptomatic of the spirit of the times. Our intense specialization has made for the well nigh disintegration of the home. More and more the tendency has been to put the responsibility for the nurture of the child on the shoulders of some of these specialized agencies. Send the child to school to be educated; send him to church to be taught the fundamental principles of morality and religion; send him to the Y. M. C. A. for his recreation. In other words, the function of the home has been transferred to other agencies and the fathers and mothers have only to pay these folks to make of their child the desired product. Students of social science are beginning to sense the fallacy of this method. The teacher, the preacher, the Y. M. C. A. Secretary, neither is primarily responsible for the up-bringing of the child. It is a God-given function of the home.

I grant that the people in these professions do influence the child by their example, but let's state facts correctly. Let's make our social analysis close-knit, or, if incompetent, let us not dare speak publicly in this respect.

If the writer of the article and The Freeman publishers know of immorality among Indianapolis school teachers, and they want to eradicate it, let them publish the names of the guilty ones, or, better still, let them go to the Superintendent of Schools and have these teachers discharged. No immoral person ought to have charge of the nurture of the child. But if The Freeman has the best interests of the child and the racial group in mind, it has no right by this "Iagoism" to throw a mantle of suspicion on every teacher—good and bad—in the community. Such statements are quoted for months and are only one of the means known to sociologists of inciting mob-mindedness.

It may be that some teachers do attend public dances, also that some do make themselves ridiculous and disgusting by their public conduct, but if you really earnestly want to correct this, get specific information, and as a taxpayer or parent, either warn the teacher, take the matter up with the various Parent-Teacher Associations, or go to the Superintendent of Schools and place charges. Your present policy seems short-sighted and designed to retard the course of social amalgamation of groups in this country. Such articles given wide circulation among the citizens and bearing the "imprimatur" of the Negro press, are accepted as fact by white people and are exaggerated, only to find emergence in some new piece of segregation, discrimination, or ostracism.

Have I made this point of view clear? Have we a new force in our midst ever ready to grasp any piece of gossip, scandal, rumor, and exploit it for the immediate means of making a few "blood-stained" dollars; or, shall we expect The Freeman to blaze the way in setting forth a sane, conservative, constructive social policy, publishing the news and facts of the day that will help forward the cause of the people to whom it makes its appeal for support?

I repeat—the question is one of fundamental honesty in molding public opinion.

LIONEL F. ARTIS.

ELAINE CASES

Louisville Herald
2-3-23

The motion for discharge of the six Negroes whose cases were reversed by the supreme Court of the United States, has been presented to the Lee County Circuit Court by Atty. S. A. Jones and a splendid array of White Lawyers. The document which appears in full on the front page of the Guide should be read by every Negro in America. The grounds for dismissal seems to be based by the Attys. upon the failure of trial upon the part of the State. It appears that if the state fails or refuses to bring a case to trial in a certain limit of time the law provides that the defendant in the given case has a right to his freedom. This principle of law seems to apply in the cases at bar. If the motion to discharge is granted by the trial Judge a great victory will have been achieved. Those who have kept up with the legal proceedings realize that the Elaine cases as they are called have been hard fought and have claimed national attention. Because of them some very important decisions have been handed down from the Supreme Court of the U. S. In fact like the Dred Scotts decision and the Elaine cases have really made national and legal history; and this history is especially interesting because of the racial elements that entered into it. Whatever the final outcome it will go down to the everlasting credit of the Negroes that they proved themselves capable of a United struggle in behalf of racial freedom and human rights. The motion is to be argued April the 17th. Let us prav for victory.

CAPITAL N FOR RACE IN ALL TOLEDO DAILY PAPERS.

Louisville Herald
2-3-23

Editors Agree to N. A. A. C. P. Branch Recommendations.

Louisville Ky.

Toledo, Ohio., Jan. 30.— Activity of the Toledo Branch of the National Association for the Advancement of Colored People has resulted in pledges by the editors of the three white dailies of Toledo, Ohio, that the word Negro will be spelled with a capital N; that the word "Negress" will be discarded, and that orders will be given to mention race only where such mention would be applied to other races.

The Toledo Branch of the N. A. A. C. P., worked through a committee consisting of Rev. P. A. Nichols, B. H. Fisher, and Albertus Brown. This committee called on the editors of the Toledo Blade ,the Toledo Times, and the Toledo News Bee, leaving with each editor a written memorandum, with suggestions for bettering relations between the races.

The suggestions have been adopted by the three Toledo dailies.

ELAINE NEGRO CASE TAKEN AS PRECEDENT

Memphis Tenn
Commercial

Man Under Sentence to File Habeas Corpus Writ.

LITTLE ROCK, Ark., Sept. 8.—State legal officials received notice late today that Willard Pendergrass, now under seven years prison sentence for the killing at Ozark in January, 1922, of Clay McIlroy, on Monday will file in federal district court at Fort Smith a petition for a writ of habeas corpus, using the Elaine negroes cases as a precedent, claiming that his conviction was obtained under the domination of a mob.

Pendergass was convicted in Logan County, under a change of venue from Franklin County, where the killing occurred, and the state supreme court affirmed the verdict in April, 192.

DECLARES NEGRO RIOT DISPATCHES WERE INCORRECT

New Yorker Says White Men Started Arkansas Trouble

Associated Press Report.

NEW YORK, June 28.—Herbert J. Seligman of the National Association for the Advancement of Colored People, in a statement issued today, pointed out that recent newspaper dispatches from Little Rock, Ark., telling of the release of six negroes implicated in the Elaine rioting in 1919, incorrectly described the cause and nature of the trouble.

Denying the statement made in press dispatches that the riot started when persons concealed near a negro meeting house at Hoop Spur, Ark., fired on a party of white men in a motor car. Mr. Seligman quoted Justice Holmes of the supreme court of the United States as describing the riot's cause thus:

"On the night of September 30, 1919, a number of colored men assembled in their church were attacked and fired upon by a body of white men, and in the disturbance that followed a white man was killed."

Justice Holmes' statement was made in the court's opinion handed down February 19, 1923, ordering the federal district court to reconsider the case.

The allegations contained in press dispatches that the negroes had been persuaded by an agitator, posing as a government agent to arm and drill in preparation for the day when they should take over control of affairs in that section, also were denied by Mr. Seligman. He declared testimony of T. K. Jones and H. F. Smiddy before the Arkansas courts showed that the negroes were not armed.

WARDEN WHO REFUSED ELAINE RIOTERS FINED $500

(A. N. P.)

Helena, Ark., Nov. 10—Hamp Martin, warden of the Arkansas penitentiary, has been adjudged in contempt of court and fined $500 because he refused to accept prisoners brought to the jail by the sheriff of Lee county. These prisoners numbered 6, were last of those implicated on the sensational Elaine riots. They had been tried twice, and just escaped death, and were awaiting trial, delaying by legal obstacles. When they were brought to the Arkansas penitentiary the warden held that he was without authority to accept them, and they were thus turned loose, making it possible for all the agencies which had fought for the freedom to claim a victory at last. An appeal of the $500 fine is to be made.

SIX ELAINE RIOTERS ESCAPE DEATH CHAIR

Gov. McRae Commutes Sentences to 12 Years in Pen.

REQUESTED BY HELENIANS

Phillips County Citizens Petition Gov. McRae to Commute Sentences of Men Convicted Killing Arkansans in 1919.

LITTLE ROCK, Ark., Nov. 3.—Acting upon a petition signed by Helena citizens, Governor McRae this evening commuted the death sentences of the six remaining Elaine negro rioters to 12 years in the penitentiary. The other six convicted negroes were granted new trials more than a years ago and were finally discharged from custody on account of the many delays in bringing them to trial the second time. The negroes were convicted of participation in a riot several years ago at Elaine, Phillips County, which resulted in the killing of several prominent citizens of Helena. The names of the negroes whose death sentences were commuted are: Frank Moore, Ed Hicks, J. E. Knox, Ed Coleman, Paul Hall and Frank Hicks.

E. L. McHaney and Scipio Jones, attorneys of this city, have been working for several years to save the lives of the men. The late Col. Murphy was also interested in the case. The petition upon which Gov. McRae acted this evening was signed by the well-known citizens of Helena. It follows:

The undersigned, members of the committee of seven and other citizens interested, who were appointed by Governor Brough to look after the prosecution of the Elaine negroes following the riots of 1919, have been informed that the attorney for the six Elaine negroes now in the penitentiary at Little Rock under sentence of death, are willing to abandon any further defense of these negroes, provided their sentences are commuted to second degree murder and their terms fixed at 12 years in the penitentiary.

In view of the fact that the other six negroes who were equally guilty, have escaped all punishment, and that the further prosecution of these negroes would entail on our people a large expense, and considering all the conditions, we hereby petition you to commute the sentences of these negroes to a term of 12 years each in the penitentiary.

S. Straub, T. W. Keesee, J. C. Burke, E. M. Allen, H. D. Moore, D. T. Hargraves, Sam W. Tuppan, E. C. Horner, Dennis Keekan, Joseph L. Solomon, L. J. Wilkes, John C. Sheffield, E. E. Agee, C. A. Wooten, Mayor J. S. Mayo, Sheriff H. E. McRae, C. L. McRae, John I. Moore.

WARDEN IN CONTEMPT

Also Fined $500 For Refusing to Accept Negroes into Penitentiary.

HELENA, ARK., Oct. 22.—Hamp Martin, warden of the Arkansas penitentiary, was adjudged today by Judge E. D. Robertson of the Lee county circuit court at Marianna in contempt of court and fined $500 because of the recent refusal of the warden to accept six negroes alleged to have been implicated in the uprising at Elaine in 1919, from the sheriff of Lee county.

Prior to the delivery of the negroes at the "walls" of the state prison several months ago the state supreme court ruled that the accused men twice convicted of murder, but in each instance granted new trials, could not then be re-tried because provisions of a state law requiring that such retrials be held within two court terms after action by the higher court had been complied with.

When this ruling was announced the Lee county sheriff took the negroes to Little Rock with the intention of giving them ever to the custody of penitentiary officials but the warden held he was without authoruty to accept them. As a result the negroes were given their liberty at the prison walls without further court proceedure.

Attorney General Utley of Arkansas, who accompanied Mr. Martin to Marianna for today's hearing announced that an appeal would be taken.

PRISON WARDEN FINED $500 FOR CONTEMPT

Appeals Sentence for Freeing Elaine Negroes.

MARIANNA, Ark., Oct. 22.—Hamp Martin, warden of the state penitentiary, was fined $500 today for contempt of court by the circuit judge, E. D. Robertson. He was released on his own recognizance pending an appeal. Martin was represented by Hon. J. S. Utley, attorney-general, and C. E. Yingling, prosecuting attorney, appeared for the court.

Last spring Martin refused to accept the six Elaine rioters sent to the penitentiary for safe keeping. At the spring term of court the attorneys for these negroes filed a motion for dismissal, because two terms of court had passed without trial. Judge Robertson denied the motion, an appeal was taken to the supreme court which reversed the ruling of the circuit court. The state is allowed 15 days by the supreme court to ask for a rehearing and the negroes were sent to the penitentiary for safe keeping during this time.

The warden of the penitentiary Hamp Martin was cited by the honorary board of the penitentiary, by whom he is employed, to refuse to accept these negroes for the reason, it is said, that Phillips County had failed to pay a board bill of several hundred dollars for six other Elaine rioters.

The defense today argued that by reason of the fact that the Elaine cases had been appealed to the supreme court, the prisoners were out of the jurisdiction of the circuit court and that the prisoners at the time the order for removal was given were in the custody of the sheriff. It was further argued that the order was given in vacation.

Judge Robertson held that the circuit court, being a court of general jurisdiction and having power to enforce its jurisdiction while in session, had this same power in vacation when by reason of fear of mob violence the lives of the prisoners were at stake. He further held that under such circumstances the court had jurisdiction to convey prisoners to any prison in the state.

GOV. COMMUTES DEATH SENTENCE OF ELAINE MEN

End Of Riot Cases Seen In Act Of Arkansas Chief Executive. Fruits Of Efforts Of N. A. A. C. P.

Another chapter in the famous Elaine, Ark., riot cases took place a few days ago, when Governor McRae commuted the death sentence of six men now serving time, to 12 years in prison.

This makes the men eligible to immediate pardon or parole, they having already served over a third of their time.

Six other men who were convicted and received death sentences were freed some months ago by a decision of the United States Supreme Court. Their cases having been taken to that tribunal by the National Association for the Advancement of Colored People.

Fourteen thousand dollars was spent by the Association to free those men and it is largely through the evidence unearthed by the Association that these last six men's sentences have been reduced.

SIX NEGROES ESCAPE SENTENCES OF DEATH

Little Rock, Ark., November 5.—Governor C. C. McRae today commuted to 12 years imprisonment death sentences imposed on six negroes convicted of murder four years ago and sentenced to be electrocuted in connection with the outbreak of Elaine, Ark., in 1919, in which several white men and an undetermined number of negroes were killed. Action of the s taken on a petition of a esidents of Phillips coun- h Elaine is located, and ers of a commission named by the governor to investigate the outbreak.

Commutation of the sentences of the six men disposes of all the cases pending in the courts as a result of the Elaine diorders. Six other negroes who had been granted new trials recently were freed after the state supreme court upheld a contention of their attorneys that they could not be retried because of a state law which required that the retrials occur within two court terms which requirement the defense held, had not been complied with.

Death sentences imposed on those granted commutations today were affirmed by the Arkansas supreme court but an appeal was taken to the United States supreme court and an order obtained directing the federal district court here to review the proceedings in the Phillips county court.

Riots—1923

Arkansas.

NEW YORK CITY LEADER
OCTOBER 24, 1923

Arkansas Court Intimidated As Mob Raged in Street; Hundreds Fled in Terror

Riots and Flouting of Law in Harrison Not Work of Klan Alone, Says Writer—Lawless Spirit Had Seized Place.

A town crazed with mob spirit . . . . a man lynched, others whipped in plain daylight, still others beaten with guns . . . all within a stone's throw of the courthouse. This is what happened in the little railroad town of Harrison, Ark., last January. This is what is still happening under the rule of the self-styled "Citizens Committee" who have been carrying on a reign of terror ever since that fateful day in January.

Arthur Finger, well known American writer, has investigated the mob outrages at the request of the American Civil Liberties Union. The results of this investigation are now in the hands of Governor McRae of Arkansas, who has so far refused to take any steps to bring the lawbreakers to justice. Yesterday the tragic death of E. C. Gregor was depicted in the first insta llment of Finger's investigation. Today the second installment carries on the story of mob violence and the total collapse of law in Harrison.

By ARTHUR FINGER.

There were other houses raided on the day E. C. Gregor was lynched. Women crouched in terror. Some fled from town, escaping not by way of the guarded roads but through fields and woods. One frantic woman, it is said, was seen many miles from town, weeping bitterly and carrying a pitiful bundle of household things. Here and there about the streets were things that people had dropped. There were other minor terrors among those not connected with the railroad; petty acts of tyranny were perpetrated. For quiet people were spoken of as being imbued with a dangerous spirit, were denounced as holding radical opinions or were whispered about as being dangerous. The judge received anonymous and threatening letters, though his purpose and intent was but to probe the matter of the bridge burning to the roots.

There were deportations too and men were sentenced by unseen bodies without any kind or even phantom of a trial. Thus by hook or by crook they had to sell their homes and some, at other places along the line of the railroad, lost their household goods by stretched process of the law, that is judgment in court was rendered against them for minor debts incurred in the ordinary course of daily transactions and there was distraint accordingly.

Law Trampled Under Foot.

Meanwhile law was trampled under foot and the last hope of amelioration vanished. That, perhaps, is one of the most serious features of the whole case. Reading what seems to be the true transcript of a properly accredited copy of the instructions of Judge Shinn to his jury on the day after the hanging of Gregor there is sensed the dismay of a man in the midst of the whirlpool of passion. It is easy to condemn and to say that the judge might and should have done this, that and the other, but the fact is that the whole machinery of law had broken down. The salt of authority had lost its savor.

In the street and about the very court house were tumultuous, inflammable crowds, townsmen and outsiders, men armed and unarmed, black panic and red terror. In such a welter who indeed was to be trusted? True, with it all much was done. The judge called the Governor on long distance telephone and asked for troops to restore order and the Governor told him that as the Legislature was in session the furnishing of troops did not rest with him. In fact it would appear that there was some asperity and the judge, finding no help immediately forthcoming, had to adopt other measures. But he succeeded in getting 50 good men presently and did restore order. That must not be lost sight of. More dramatic action might have placed the judge in the role of an Arnold von Winklereid at the battle of Sempach, but less good would have been done. Truth needs no martyrs.

But the first position of the judge and the mayor and his officers must be considered, especially in view of the fact that there was on all hands a sort of divided allegiance. There was a ramification of interests, a crossing of wires.

It is, of course, fashionable to say Ku Klux Klan and have done with it. But that is to fall into error because, while the men who formed the mob did, in many instances doubtless belong to that organization, there were also members of the Masonic body on both sides, men belonging to the same churches; Methodists, Presbyterians, Christians. There were men who were in no wise affiliated with any organization, merchants and professional men, those who had for years favored the retention of the union workers but later had become embroiled with them.

Something altogether different from the deliberate plan of any one organization was responsible. Somehow many elements were welded together in a common purpose. But this much is certain. Public comment had based itself upon incorrect versions of fact. That is important. Of careful publicity there had been little or none, and publicity is part of the law's deterrent against crime, and is also, one of the sanctions of fair play. And lacking that desirable careful publicity, there was entire absence of cool judgment and respect for the rights of others. How wild rumors flew, and from what they started, is not clear. Bad enough as the thing itself was, it was made worse by the pernicious efforts of someone. The news was flashed over the countryside that others had suffered in addition to Gregor. Venables was said to have been hanged in an apple orchard, but Venables at that time was in St. Louis.

Judge Ruled by Terror.

So we get a valuable side light, not only upon conditions, but also upon the bristling difficulties surrounding the judiciary. "Boone County," said the judge that morning, "is in an awful condition when it gets to the point that people can come here to the county seat and, within a stone's throw from the court house, commit the crimes that were committed yesterday and last night. One man is killed, others have been whipped publicly in plain daylight and others beaten with guns.

Then there is this, a cry from the heart, the cry of the well meaning man! "I feel . . . that I am a failure, an absolute failure. . . . God be my helper, I know I want to do my duty." And again. "I don't want to be taken out, whipped, beaten(publicly humiliated because of my attitude, or my effort to show the gravity of the man's position and also the gravity of the general condition. The man stood four square, anxious for the future, devoted to the cause of justice and fair play, when about him was madness.

That day, in the court, in an atmosphere and environment such as is suggested by the judge's instructions, two men, Wise and Orr, engineer and brakeman, were placed on trial. Outside was a mob, cognizant of the mischief done on the night previous. Judge Mitchell, a brave and buoyant man, being appointed by the court to defend the men, advised them to plead guilty as a measure of expediency. I think there is no doubt as to that, and I am inclined to think that under the circumstances the advice was good, for otherwise, it is quite possible that amid shouting and vociferations, Wise and Orr might have suffered.

We think of another pathetic and one figure at whom the mob shouted, clamoring for death. For it must not be forgotten that the machinery of the law had broken down, and in the street was incipient rio@t. The weakness of the whole thing is that the vision of justice had vanished; of quiet, serene justice there was not even a faint afterglow.

Reason was discredited and if there had been any ideal at all, it was the notion of doing something in a way of what had been called "protective measures," demanded as being incidental to the continued operation of the road. A provocative intention in a public announcement is one thing, the provocative effect another. So Wise and Orr were at last taken out of town to the penitentiary on the same day that Gregor's corpse was moved.

Riots — 1923.

Delaware.

AUGUST 28 1923

THE RACE RIOT IN SEAFORD, Del., easily might have occurred in this or any other of a half dozen cities of the North which have received but hardly welcomed the thousands of Negro migrants from below the Mason and Dixon line. It is ascribed to bad housing conditions. The same cause, which might lead to the same unfortunate result, exists in Philadelphia, recognized and deplored by Negroes who have studied the recent hegira from the South. The black man is very like his white brother. He has a wife and children, and he wants shelter for them. He finds it hard to get. Only too often an unscrupulous real estate man will rent him, at an extortionate price, an empty house in a white neighborhood. The tenant, earning a modest wage, sublets as much of the house as he can to other Negro tenants, otherwise he could not pay the rent. White neighbors are resentful, and the Negro newcomers strike back when that resentment becomes overt. It is a very natural and logical process, which can be checked back step by step to the combination of one man's need and another man's greed.

Riots—1922
Historical

White Stage Hands Attack Colored Employes in Harlem

New York Age
3/18/22

(By WILLIAM E. CLARK)

One of the most flagrant attempts to discriminate against colored workers occurred at the Lafayette Theatre, last week, when the International Stagehandlers and Theatrical Employees Union demanded that the management of that theatre get rid of their colored stage employees because they were not members of the union. This the management refused to do, and offered to take out membership for its employees in this union.

The Union representatives refused to consider this proposal, and could give no excuse for this refusal except that these men were colored. Instead of accepting a fair proposal, the white stage employees with "The Bathing Beauties" insisted that either the colored employees be discharged or that the management cancel the engagements of the burlesque attractions already booked, as they would not consider working with colored stage men.

The Coleman Brothers and B. L. Burt, the lessees and manager, respectively, of the Lafayette, promptly decided to cancel their engagements with the burlesque people, and they announce that no other similar attractions will be booked.

It is said that difficulty with this union has been brewing since the Lafayette Theatre refused to recognize the union's demand that they get rid of their colored motion picture operator and employ a union man.

This union controls stage employees all over the country, and is said to have a reputation for practicing discrimination and unfair methods, especially against the colored stage employees. Several attempts have been made by colored men to join or to form an affiliated organization, but they have met with no success.

Had the Layfayette management acceded to the demand that only union men be employed there, it is likely that this action would have influenced the union to cause the discharge of colored stage men in some fifty other theatres throughout the country where they are now employed.

The Lafayette management deserves united and undivided support for their decided stand in this matter that affects the employment of scores of colored men, and that is concerned with the operation of at least a half hundred amusement houses conducted by and for the race in [illegible] the country.

...W YORK
Linton Ind. Citizen
MARCH 15, [illegible]

When Linton had its biggest night and the negroes were run out of Island City? This was in the fall of 1894. A rather large colony of colored people had moved into the Island City blocks, the men working in the mine there. The negro colony was being gradulally augmented and with their increase in numbers they became more bold and finally offensive. One night a fight was started between some white and colored young men and the report came to town that two white boys had been shot. The fire alarm was sounded and in a few minutes almost the entire population of Linton was up town. About midnight, after many speeches had been made, some advising "direct action" and others admonishing the crowd against any violence, the frenzy of the populace increased and every available firearm was appropriated, hardware and other stores being broken into to secure arms and ammunition. Phil Penna, who was then international president of the United Mine Workers, made one of the speeches advising that calm judgment prevail, but without effect. The "mob" of several hundred men and boys moved toward Island City and shortly the rattle of shots was heard, the houses were "shot up" and there was a general and hasty exodus of the negroes. It was remarkable that no one was killed, though two or three of the negroes were wounded, one rather severely. The next morning not a colored person was to be seen and to this day none have lived in this township, except for a time thereafter a colored family named Hensey lived at Island City. They were there before the battle and Hensey, who was a stable boss for the Island Coal Co., was generally liked and he and his family were never molested. Aside from Hensey, who died a good many years ago, there has never been a colored voter in Stockton township in the past forty years, perhaps longer.

C. P. H.

FIRST ANNIVERSARY OF TULSA MASSACRE

Guardian
6/3/22

SMITHERMAN SPEAKS OF TH VICTORIOUS RACE FIGHT FOLLOWED BY AMBUSH AND MASSACRE — UNDAUNTED AND COURAGEOUS STILL

Thursday, June 1st may have much in reminiscence to many Bostonians but to none has it meant more than to A. J. Smitherman, former editor of the Tulsa Star, Tulsa, Oklahoma, who is now counted among our citizens. To him and his family it was the first anniversary of the Tulsa massacre, following the historic and victorious fight of Colored in Tulsa against would-be lynchers which fight Editor Smitherman stands charged with planning and executing from his office. This hero of the conflict, like many others of our group, lost a lifetime's accumulation as a result of the riot and massacre, leaving him penniless with a wife and five children. Enough to discourage any man, but it has not daunted the remarkable courage o fthis Race man nor chilled his determination to remain in the ranks of fighters for the cause of his people. Seen Thursday by the Editor of the Guardian and asked if he had any message or any expression to give out, he said:

"This anniversary does not remind me so much of what we have lost as what we have gained through the sacrifices of a year ago today and every day since as the result of a worthy fight for a worthy cause; I am reminded more of my responsibility to God and to humanity than of the dependent circumstances now surrounding us. I realize now more than ever the righteousness of our cause and the need of sacrifices for its triumph. To this consumation I am ready and willing to devote the rest of my life fighting and contending in every honorable way against injustice."

Your

Chicago Defender
6/10/22

The Tulsa Daily World, great daily, prints three photographs on page one of its feature section.

One is Greenwood avenue, Tulsa, in May, 1921; another is that same street two or three days after the massacre; the third one is Greenwood avenue as it is today.

If you have been to Tulsa you can appreciate the picture. If you have heard of that wonderful Tulsa Colored citizen you can FEEL that picture.

If you live in Tulsa get somebody, some of the intelligencia, or something, to tell you what is meant by a classic phrase, "Phoenix rising from the ashes." Then you will understand.

* * *

This writer, examining the photographs, looks up long enough to tell you that any people capable of doing what Colored Tulsa did on Greenwood avenue in a year can't be whipped!

They may be burnt out and mobbed but they can't be whipped.

PITTSBURG PA. DISPATCH
SEPTEMBER 19, 1922

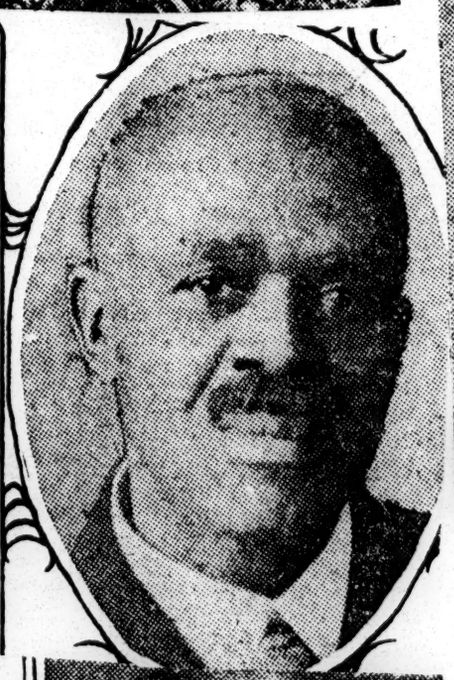
Curb the Regulators

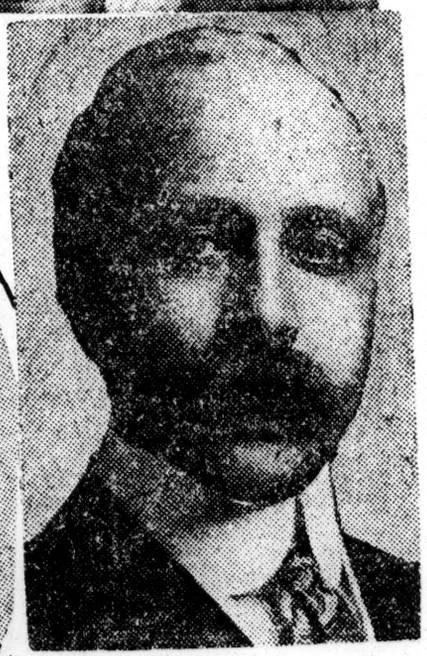
A race riot in New York Sunday which had for some of its consequences the hospitalization of a dozen persons and less serious injuries to a number of others, including policemen, demonstrated the ease with which killing by wholesale and destruction of property may be brought about. The clash between whites and Negroes in New York seems to have been entirely foundationless, having a basis in nothing more concrete than the objection of certain white families to Negro neighbors in a locality until recently inhabited solely by whites. This is neither a legal, logical, moral nor ethical position, and the maneuver of certain short-tempered white men to forcibly deport the Negroes, was fortunately not followed by effects such as those at East St Louis.

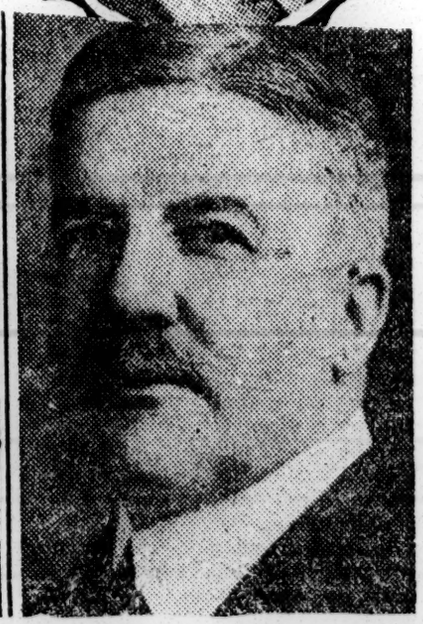
An attack upon a peaceful meeting of Negroes was perhaps the worst form of expressing objection to an "invasion" of a locality somehow claimed to be sacred for the residence of white families. Is the spirit of intolerance growing instead of subsiding in the United States, the only country in which a conglomeration of races is general? Prejudiced regulators of race conduct are doing more harm than the conditions they say they seek to remedy. Violence is never a safe style of approach.

WHITE RIOTERS SEARCHING FOR VICTIM

Chicago Defender 10-7-23







Riots — 1923.
Historical.

UNCOVER OLD WELL, SCENE OF DEATH RIOT

Eufaula

Eufaula, Ala., December 13.—(Special.)—While grading the business section of Eufaula street, the city street forces uncovered a historic old well which was filled in about 40 years ago. 12-14-23

Around this well a political riot occurred on November 3, 1874, in which three negroes were killed and other parties injured. The riot occurred during election times in reconstruction days and the finding of the old well, the gathering place of the townspeople a half century ago, brought to mind reminiscences of other days.